



City of Chico
NOTICE OF CANCELLATION
of
January 3, 2008 Regular Meeting
of the Planning Commission

NOTICE IS HEREBY GIVEN that the January 3, 2008 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, January 17, 2008 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: December 21, 2007

Distribution:

City Clerk & Council (8)
Interim City Manager
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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JANUARY 17, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Kathy Barrett
Mary Brownell
Tom Hayes
Dave Kelley, Vice Chair
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director (Arrived Late)
Mark Wolfe, Principal Planner
Zach Thomas, Senior Planner
Shawn Tillman, Senior Planner (HNSD)
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. ROLL CALL

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

2. ELECTION OF OFFICERS

*It was motioned (Kelley) and seconded (Minasian) to nominate Jon Luvaas as Chair.
Vote: 7-0*

*It was motioned (Minasian) and seconded (Barrett) to nominate Dave Kelley as Vice Chair.
Vote: 7-0*

3. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

4. CONSENT AGENDA

There were no items on the Consent Agenda.

5. PUBLIC HEARING ITEMS

5.1 Avenues Neighborhood Plan - Determination of General Plan Consistency and Recommendation to City Council - The Avenues Neighborhood Plan provides recommendations with regard to circulation, traffic calming, transit and parking, land use, parks and open space, building stock, infrastructure, street trees, and social issues in the 830-acre Avenues Neighborhood north of downtown Chico. *Housing and Neighborhood Services staff recommend that the Planning Commission:*

1. *Conduct a public hearing on the Avenues Neighborhood Improvement Plan;*
2. *Identify any specific changes it wishes to recommend to City Council; and,*
3. *Direct staff to prepare a resolution forwarding the Commission's recommendations on the Plan, including any specific changes, to the City Council.*

Housing and Neighborhood Services Senior Planner Shawn Tillman presented the staff report. Chair Luvaas read aloud the list of eight recommendations from the Planning Commission's December 6, 2007 meeting, specifically:

1. Given the importance of the Esplanade as a community-wide resource of unique concern, those recommendations in the Plan that could result in a physical change to the Esplanade should be removed from the Plan and considered by the City Council as a separate project;
2. The City Council should be provided with additional clarification on the environmental review process relative to the Plan;
3. Each annual implementation plan should be referred to the Planning Commission;
4. The historic resources inventory identified in the implementation plan should be initiated as soon as practicable in the first year of implementation;
5. The first year implementation plan should include consideration of ways to celebrate the Mechoopda culture;
6. The Plan should emphasize that a 32-foot street width standard be seriously considered where feasible, excepting those streets with high traffic volume;
7. The Plan should emphasize that natural drainage systems be seriously considered where feasible; and,

8. The Plan should emphasize that street lighting be pedestrian-oriented, below the tree canopy and be directed to streets and sidewalks with full cut-off, recessed bulbs to avoid light spillage beyond the intended streets and sidewalks and to reduce glare.

Chair Luvaas opened the Public Hearing at 6:38 p.m. Addressing the Commission in the following order were:

- Fred Davis**, citizen, expressed concerns regarding The Esplanade
- Kasey Merrill**, representing Chico Avenues Neighborhood Association (CANA), spoke in favor
- Nani Teves**, citizen, would like more attention to stormwater management
- Susan Mason**, representing Big Chico Creek Watershed Alliance, encouraged adding language to the Plan (stormwater practices) so that application for grant funding, available as a result of Proposition 84, would be possible
- Susan Strachan**, Environmental Project Manager at the Chico State College of Engineering, would like to partner with the Plan and CANA to bring university resources to the table to assist with grant funding
- Kristin Carter**, CSUC, spoke regarding the use of pervious concrete and offered to bring in some of the University's experts and provide information in this regard
- Roger Cole**, representing Streaminders, referred to information, provided in an email to Chair Luvaas and shared with the full Commission, with respect to enhancing storm water management practices
- Mary Muchowski**, citizen, spoke in favor of 32-foot street standards

There were no further speakers. The public hearing will, however, remain open.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission direct staff to prepare, for future adoption at its next meeting, a resolution determining that the Avenues Neighborhood Plan is consistent with the City of Chico General Plan and recommending that the City Council adopt the Plan with specific modifications as directed at the December 6, 2007 Regular Meeting of the Planning Commission and as further refined at tonight's meeting as follows:

Items #1 through #8, inclusive, the word "should" is to be replaced with the word "shall;"

Additionally, Item #1 shall be amended to add: Consideration shall be given to the formation of a study group (to include citizens) that would review and comment on the treatment of The Esplanade. All exhibits in the Plan, with reference to The Esplanade, shall be removed;

Additionally, Item #6 shall be amended to remove the words "where feasible;" and,

Additionally, Item #7 shall be amended to read: "The Plan shall emphasize that natural drainage systems and alternative drainage systems, including the use of pervious concrete, be seriously analyzed, considered and implemented."

Vote: 7-0

- 5.2 DeGarmo Terrace, S/PDP 07-11, Northwest corner of Esplanade and the Future DeGarmo Drive, across from DeGarmo Park, APNs 006-690-013 and -010 (a portion of)** - Conceptual review of a planned development permit to develop a vacant 6.14 acre site with 41 attached single family homes along with approximately 25,000 square feet of neighborhood commercial. The site is designated Medium-High Density and Mixed-Use Neighborhood Core on the General Plan diagram and is located within the R-3 Medium-High Density Residential (14.1 to 22 units per gross acre) and the Neighborhood Commercial zoning districts. The site is also designated Multi-family Residential and Mixed-Use Commercial within the Northwest Chico Specific Plan (NWCSP). *Planning staff recommends the Planning Commission review the conceptual planned development permit and provide comments to the Applicant. Final action will require the Planning Commission's review of the final development plan and other entitlements at a future meeting.*

Senior Planner Zach Thomas presented the staff report. It was noted that the Architectural Review Board had completed a conceptual review of the project. The Architectural Review Board requested that they maintain responsibility for final architectural approval. Chair Luvaas opened the public hearing at 7:57 p.m. Addressing the Commission in the following order were:

- Brian Firth, Landscape Architect, Land Image**, representing the applicant, spoke in favor
- Greg Peitz, Architect**, representing the applicant, spoke in favor

The Planning Commission recessed at 9:00 p.m. and reconvened at 9:11 p.m. Commissioners and staff were present as noted.

- Bill Dinsmore, Civil Engineer, Rolls Anderson & Rolls**, representing the applicant, spoke in favor
- Jim Mann, Rural Consulting Associates**, representing the applicant, spoke in favor

There being no further speakers, the public hearing was closed at 9:35 p.m.

A formal motion was not called for as this hearing is for conceptual review only. Discussion followed and the Planning Commission formulated a list of recommendations, as follows:

1. *There shall be no fences along the Future DeGarmo Drive;*
2. *Provide additional building articulation at Lots 1 through 6, to address the appearance of one large exterior plane;*
3. *Provide the detail related to the trash enclosures;*
4. *Provide the detail for the fencing along buildings 6 and 38 through 41;*
5. *Provide additional landscaping or shading around the trellis area as you enter the project;*
6. *Trees shall be placed at the two corner entrances for additional shading;*
7. *Move utility boxes, transformers, water back flow units and the like out of the public view to the extent feasible. For those areas where relocation may not be possible, effective screening shall be provided, e.g. metal trellising with landscape vine plantings;*
8. *Provide ADA accessibility at the entrance;*
9. *Provide some type of cover for the bicycle parking for protection from the weather;*
10. *Provide clarification of the project site area, including Assessor's Parcel lines (directive to Staff);*
11. *Provide clarification as to the possible need for rezoning (directive to Staff);*
12. *Provide clarification as to legal compliance with the Northwest Chico Specific Plan policy and State Law (directive to Staff);*
13. *Provide some bicycle parking near the commercial component of the Project;*
14. *Provide feedback from discussions with Butte County Association of Governments (BCAG) as to anticipated location of future bus stop(s) (directive to Staff); and,*
15. *Explore the potential for including benches as a recreational amenity, especially near the commercial portion of the project.*

Chair Luvaas re-opened the public hearing at 10:00 p.m. Addressing the Commission was:

•**Brian Firth, Landscape Architect, Land Image**, responded to a question regarding the type of lighting proposed for the project and also indicated the light standards were proposed to be 12 feet in height.

The Commission resumed discussions and added the following additional recommendations:

16. *Lighting shall be directed downward to avoid light spillage and glare;*
17. *Seriously consider the use of pervious concrete or other alternative natural drainage system;*

- 18. The Architectural Review Board will be responsible for final architectural approval;*
- 19. The Planning Commission will be responsible for final site design;*
- 20. Seriously consider the potential for some second-story residential above some of the commercial (Building 46 was mentioned as perhaps having this potential);*
- 21. Provide a realistic chronology for the project to the extent possible; and,*
- 22. Consider the possibility of incorporating some smaller square-footage housing.*

The public hearing was re-closed at 10:20 p.m. A vote was not taken as this hearing is for conceptual review only. It is noted that each of the twenty-two recommendations was supported by a majority of the Planning Commissioners.

6. REGULAR AGENDA.

There were no items on the Regular Agenda.

7. BUSINESS FROM THE FLOOR

There was no business from the floor.

8. REPORTS & COMMUNICATIONS

8.1 Administrative Policy and Procedure - Conducting Meetings and Order of Business - Principal Planner Mark Wolfe provided a handout and reviewed current City policy with respect to the order of business at meetings.

8.2 Planning Update - Planning Services Director Steve Peterson reviewed the upcoming meeting schedule with the Commission. The July 3, 2008 Regular Meeting of the Planning Commission is canceled.

9. ADJOURNMENT

There being no further business, Chair Luvaas adjourned the meeting at 10:42 p.m. to the Regular Meeting of February 7, 2008.

February 7, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
FEBRUARY 7, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Kathy Barrett
Mary Brownell
Tom Hayes
Dave Kelley, Vice Chair
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director (Arrived Late)
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Shawn Tillman, Senior Planner (HNSD)
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Chair Luvaas spoke to Randall Stone about one year ago, but does not recall the specifics of the conversation. Commissioner Barrett also spoke to Mr. Stone about eight months ago.

3. CONSENT AGENDA

3.1 Minutes - Adjourned Regular Meeting of January 17, 2008

It was motioned (Minasian) and seconded (Kelley) to approve the minutes of the Adjourned Regular Meeting of January 17, 2008 with the following clarification: public speaker, Susan Strachan, spoke as a representative of California State University, Chico.

Vote: 7-0

4. PUBLIC HEARING ITEMS

- 4.1 Avenues Neighborhood Plan - Determination of General Plan Consistency and Recommendation to City Council** (*Noticed 01-26-08*) - The Avenues Neighborhood Plan provides recommendations with regard to circulation, traffic calming, transit and parking, land use, parks and open space, building stock, infrastructure, street trees, and social issues in the 830-acre Avenues Neighborhood north of downtown Chico.

Housing and Neighborhood Services staff recommend that the Planning Commission adopt Resolution No. 08-01

Housing and Neighborhood Services Senior Planner Shawn Tillman presented the staff report. The Public Hearing was dispensed with as there were no members of the public wishing to comment.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-01, determining that the Avenues Neighborhood Improvement Plan is consistent with the City of Chico General Plan, and recommending that the City Council adopt a negative declaration based on the initial study prepared for the project, and adopt the Avenues Neighborhood Improvement Plan with modifications incorporated as recommended by the Planning Commission, and including two additional modifications as follows:

- 1. In Exhibit 5, add the following language: "Narrow streets can slow traffic, improve safety, diminish storm water runoff, increase shade cover, and save costs"*
- 2. In Resolution 08-01, Item B.3. shall be amended to read: "Each annual work plan shall be referred to the Planning Commission for review and recommendations to the City Council."*

Vote: 7-0

- 4.2 Bidwell Park Apartments (Stone Building Corporation), 1197 E. 8th Street and 1190 E. 9th Street, APNs 004-331-004 and -014** (*Noticed 01-18-08*) - A proposal to redevelop a 31-unit mobile home park with a new 38-unit affordable housing project. The following development applications are proposed:

General Plan Amendment/Rezone 07-02: To change the existing General Plan designation from Low Density Residential to Medium-High Density Residential (allowing residential density of 14.01 to 22 units per acre) and to change the existing R1 Low Density Residential zoning district to R3 Medium-High Density Residential.

Planned Development Permit 07-01 and Architectural Review 07-22: To authorize the project's architectural design and to authorize modifications to Title 19 development standards including increased building heights and reductions in the minimum parking requirements, building setback from E. 9th Street, parking lot setbacks from adjacent property lines, and landscaped open space.

Certificate of Merger 07-02: A lot merger of the two existing parcels is proposed to create a single 1.15 acre parcel.

Development Agreement 07-01: To authorize the project density to exceed the maximum of 22 units per acre established by the proposed Medium-High Density Residential land use designation. The project would create a gross density of approximately 26.39 dwelling units per acre.

The City of Chico Redevelopment Agency adopted a mitigated negative declaration for the project at its November 6, 2007 meeting in conjunction with its approval of the project's Funding Commitment and Property Acquisition. A mitigated negative declaration is a determination that, with incorporation of specific mitigation measures, a project will not have a significant impact on the environment. The proposed development applications are within the scope of the adopted mitigated negative declaration, and no additional environmental review is required.

Planning staff recommends that the Planning Commission adopt the following resolutions:

3. *Resolution No. 08-02, recommending City Council approval of General Plan Amendment/Rezone 07-02 (Stone Building Corporation);*
4. *Resolution No. 08-03, recommending City Council approval of Architectural Review 07-22 and Certificate of Merger 07-02 (Stone Building Corporation); and,*
5. *Resolution No. 08-04, recommending City Council approval of Development Agreement 07-01 (Stone Building Corporation).*

Senior Planner Bob Summerville presented the staff report. Chair Luvaas opened the public hearing at 7:10 p.m. Addressing the Commission in the following order were:

- **Gregg Stone**, Stone Building Corporation, representing the applicant, spoke in favor
- **Margie Ruegger**, Executive Director, Child Abuse Prevention Council, stated a community center would be co-located at the site and spoke in favor
- **Evan LeVang**, Independent Living Services of No. Cal, stated some of the proposed rents will be below the level of Section 8 and spoke in favor

- Mike Smith**, citizen, spoke in favor
- Mike Trolinder**, citizen, spoke in favor and expressed some concerns
- Mike Gates**, citizen, spoke in favor

There being no further speakers, the public hearing was closed at 7:48 p.m.

It was motioned (Kelley) and seconded (Brownell) that the Planning Commission adopt Resolution No. 08-02, recommending City Council approval of General Plan Amendment/Rezone 07-02 (Stone Building Corporation)

Vote: 7-0

It was motioned (Kelley) and seconded (Barrett) that the Planning Commission adopt Resolution No. 08-03, recommending City Council approval of Architectural Review 07-22 and Certificate of Merger 07-02 (Stone Building Corporation), with the following recommended additional conditions of approval:

1. *Amend Condition No. 9 to add the following language: “all building plans shall note that all window frames shall be almond-colored vinyl and all door frames shall be a matching color;”*
2. *The design elevations of Building Type I, if not all buildings, shall be revised to include a stucco wainscot (i.e. , a continuous horizontal design element) between the finished grade and the height of the first floor window sills, in a darker color selected from the approved color palette;*
3. *The northeast elevation of Building Type I (Elevation 4 of Exhibit IV-B) shall include additional architectural interest. Additional windows are preferred, if feasible, with a minimum of two per floor suggested. Alternate architectural elements, other than windows, shall be allowed as approved by the Architectural Review Board;*
4. *All ground level HVAC condenser units and electrical cabinets shall be screened with architecturally compatible stucco screen walls in a compatible color;*
5. *The trash enclosure shall be constructed with masonry material that matches the sound wall around the tot lot;*

After considerable discussion regarding review by the Architectural Review Board, the public hearing was re-opened at 8:35 p.m. in order to ask the applicant about the time frame for the proposed project. Addressing the Commission in the following order was:

- Gregg Stone**, Stone Building Corporation, in response to the Commission’s discussion to return design details to the Architectural Review Board for approval, prior to building permits, advised that in order to avoid a six-month delay, conceptual entitlements need to be in place by early March

The public hearing was re-closed at 8:41 p.m. The Planning Commission continued deliberations on the current motion on the floor, adding the following additional conditions of approval:

6. *The applicant will dedicate sufficient land to allow the construction of public sidewalks along both street frontages;*
7. *The Architectural Review Board shall review and approve the design details of perimeter fencing recommended in Condition No. 11 of the staff report; and,*
8. *The landscape plan shall be amended to include creeping vines that grow along all window trellises.*

The Planning Commission recessed at 8:55 p.m. and reconvened at 9:05 p.m. Commissioners and staff were present as noted.

9. *The site and landscape plans shall be amended to include passive recreational amenities (such as bench seating) between Building Types I and II; and,*
10. *The above-mentioned architectural changes are to be reviewed and approved by the Architectural Review Board prior to the issuance of building permits.*

Vote: 7-0

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-04, recommending City Council approval of Development Agreement 07-01 (Stone Building Corporation)

Vote: 7-0

It was motioned (Minasian) and seconded (Barrett) that the Planning Commission recommend that City Council direct staff to continue discussions with Caltrans in providing safe pedestrian crossings of E. 8th and E. 9th Streets, particularly to access existing bus stops at the intersections with Linden Street, and that all options for safe crossings be considered. Ongoing discussions and solutions to safe crossings will be based on a pedestrian warrant study that will be completed by Capital Project Services Department staff. The Planning Commission acknowledged that regardless of the study outcome, the ultimate decision will rest with Caltrans. It was further acknowledged that these recommendations are not formally a part of the entitlement hearing for this project.

Vote: 7-0

5. REGULAR AGENDA.

5.1 Appointment of Planning Commissioner to Downtown Committee

Commissioner Kelley was appointed to serve on this Committee. Commissioner Minasian will serve as alternate.

5.2 R2 Medium Density Residential Minimum Density Workshop/Discussion - As part of the Planning Commission's adopted Work Plan, the Commission has indicated its desire to increase the minimum density of R2 zoned land (generally designated Medium Density Residential in the General Plan) from the current 5.5 units per gross acre to 7.01 units per gross acre.

Planning staff recommends that the Commission discuss the issue of R2 minimum density, and provide direction to staff.

Associate Planner Greg Redeker presented the staff report which provided three alternatives for the Commission's consideration, together with pros and cons of each. Following initial discussion, Chair Luvaas provided an opportunity for input from the public. Addressing the Commission was:

•**Jason Bougie**, representing the Building Industry Association, expressed concerns

It was motioned (Merz) and seconded (Minasian) to pursue Alternative 1 and effect an increase in the R2 minimum density to 7.01 units per gross acre. Staff shall prepare the necessary language, in the form of a Resolution, for adoption at a future, noticed public hearing.

Vote: 5-2 (Barrett and Hayes opposed)

6. BUSINESS FROM THE FLOOR

There was no business from the floor.

7. REPORTS & COMMUNICATIONS

7.1 Planning Update - Planning Services Director Peterson provided an update of activities. An updated meeting and event calendar will be distributed via email.

8. ADJOURNMENT

There being no further business, Chair Luvaas adjourned the meeting at 10:35 p.m. to the Adjourned Regular Meeting of February 21, 2008.

March 6, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
FEBRUARY 21, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Kathy Barrett
Mary Brownell
Tom Hayes
Dave Kelley, Vice Chair

Commissioners Absent: John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Bob Summerville, Senior Planner
Greg Redeker, Associate Planner
Mike Sawley, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Mary Fitch, Administrative Analyst

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

There were no items on the Consent Agenda.

4. PUBLIC HEARING ITEMS

4.1 Conceptual Review of Christensen Subdivision on Joshua Tree Road and Godman Avenue (S/PDP 07-02), APN 007-220-013 (Noticed 02-11-08) - Conceptual review of a proposal to subdivide a 4.3-acre site into 51 residential lots and a 2.4-acre

common area to provide access and open space. The project's density is 10.9 units per acre. The project site is designated Medium Density Residential on the General Plan diagram and is located in the R2 Medium Density Residential zoning district. ***Planning staff recommends that the Planning Commission review and discuss the requested subdivision and planned development permit and provide direction to the applicant regarding the project design.***

Associate Planner Mike Sawley presented the staff report. AP Sawley stated he had received telephone calls from two neighbors, Tararita Vaughn and Nancy Skidall, both expressing concern with the proximity of the new homes. Chair Luvaas opened the public hearing at 6:35 p.m. Addressing the Commission in the following order were:

- **Jim Stevens**, NorthStar Engineering, representing the Applicant, spoke in support
- **Tim Crete**, Project Architect, representing the Applicant, spoke in support
- **Eric Christensen**, Applicant, spoke in support
- **Tararita Vaughn**, Neighbor on Godman Avenue, expressed concerns

There being no further speakers, the public hearing was closed at 7:22 p.m. After considerable discussion, the Planning Commission agreed that a fundamental redesign of the project was needed. Suggestions for the Applicant to consider in project redesign were provided as follows:

1. Consider attaining a superior site layout that is not dictated by the existing buildings
2. Consolidate and centralize the open space areas, notably Open Space Area Nos. 1 and 3;
3. Reconfigure Street A to include a pedestrian sidewalk along its entire length, parallel parking, and street trees for shade;
4. Units adjacent to existing streets should be oriented toward those streets to connect the development with the surrounding neighborhood. Front yards may then be minimized in order to increase rear yard space and fencing used to ensure privacy for the new units;
5. Consider incorporating a different housing type, particularly along the existing streets to address Suggestion No. 4 above, and consider providing units with fewer than three bedrooms;
6. Remove excess parking shown in open space areas; notably Open Space Area Nos. 3 and 4;
7. Modify window placement to minimize privacy impacts on neighboring properties, especially the (Low Density Residential) properties to the north;
8. Assign elevations to the proposed lots;
9. Use a lighter roof color to minimize heat gain;
10. Include a solar exposure analysis based on roof orientation and window placement; and,

11. Review the Planned Development General plan policies and ensure project consistency.

The Planning Commission recessed at 7:55 p.m. and reconvened at 8:10 p.m. Commissioners and staff were present as noted.

5. REGULAR AGENDA

- 5.1 Draft Scope of Work for Design Guidelines - Discussion of draft scope for comprehensive design guidelines. *Planning staff recommends that the Planning Commission review and comment on the draft scope provided in the agenda report and designate two Planning Commission members to work with two members of the Architectural Review Board and staff in a subcommittee.*

Senior Planner Bob Summerville presented the staff report. At its 2/6/08 meeting, the Architectural Review Board (ARB) provided comments on a draft scope which are included in the Planning Commission Agenda Report. The Planning Commission provided input on the draft scope/ARB comments as follows:

1. With respect to “Community Identity” we need to identify what it is that makes the neighborhood special;
2. Involve the design community earlier rather than later in the process;
3. Address certain “repetitive” issues such as double-frontage lots, homes fronting the street, no fences along the street, corner houses fronting both streets, street trees, etc;
4. Small lot subdivision design deserves its own treatment, e.g. where access is gained (rear-loaded);
5. Include design guidelines for cottages and bungalows;
6. Define “clustered housing” as a design option;
7. Include guidelines for parking lot design;
8. Address a number of orientations for single-family, detached homes, including orientation to the street, to existing residential, to open spaces and to the sun;
9. Include energy conservation in site design and building orientation sections, including the use of energy-efficient appliance systems;
10. Where landscaping is addressed, include avoidance of invasive plant species and reference to drought-tolerant planting opportunities;
11. Guidelines should be user-friendly and contain specific examples through the use of heavy graphics; and,
12. In order to address compatibility with adjacent land uses on infill projects, the word “compatibility” must be defined.

Chair Luvaas opened the session to public comment at 8:50 p.m. Addressing the Commission in the following order were:

- **Jason Bougie**, Building Industry Association, expressed concern with flexibility and suggested including Valley Contractors Exchange in future dialogue
- **Patrick Cole**, Architect, expressed concerns regarding intent
- **Bill Webb**, Developer, expressed concerns regarding implementation and a desire to leave R1 (low density residential) out of the discussion
- **Mike Trolinder**, Citizen, expressed concern with how Downtown design will be addressed
- **Chris Giampaoli**, Developer, spoke in favor of omitting single-family residential design from the guidelines

There being no further speakers to address the Commission, Chair Luvaas closed the public comment session at 9:35 p.m. In addition to Comments 1 through 12 provided earlier, the Planning Commission further agreed to:

13. Request that staff send a letter to community design professionals, explaining the effort to update and refine the City's design guidelines;
14. Future meeting and/or workshop agendas will be provided to a distribution list of identified architects, developers and engineers;
15. Valley Contractor's Exchange will be added to the distribution list; and,
16. Commissioner Hayes and Vice Chair Kelley will represent the Planning Commission on the Design Guidelines Subcommittee.

Chair Luvaas stated that Commissioner Merz will be replacing Commissioner Minasian as the Planning Commission's representative on the Downtown Committee. Commissioner Minasian will serve as alternate.

6. **BUSINESS FROM THE FLOOR** - None

7. **REPORTS & COMMUNICATIONS**

7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 9:52 p.m. to the Regular Meeting of March 6, 2008.

August 7, 2008
Date Approved

_____/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MARCH 6, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
 Kathy Barrett
 Mary Brownell
 Tom Hayes
 Dave Kelley, Vice Chair
 John Merz
 Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
 Greg Redeker, Associate Planner
 Roger S. Wilson, Assistant City Attorney
 Fritz McKinley, Building & Development Services Director
 Matt Johnson, Senior Development Engineer
 Matt Thompson, Senior Civil Engineer
 Karen Masterson, Administrative Assistant

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Chair Luvaas spoke with Roger Cole, Kristin Cooper Carter, Susan Strachan and Andy Youngs.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of February 7, 2008

It was motioned (Merz) and seconded (Brownell) to approve the minutes of the Regular Meeting of February 7, 2008, as presented

Vote: 7-0

4. PUBLIC HEARING ITEMS

- 4.1 **General Plan Amendment/Rezone 08-03 (City of Chico) - Increase in R2/Medium Density Residential Minimum Density** (*Noticed 02-23-08*) - A proposal to amend the minimum density in both the R2 Medium Density Residential zoning district and the Medium Density Residential (MDR) General Plan land use designation from the current 5.5 units per gross acre to 7.01 units per gross acre. ***Planning staff recommends that the Commission adopt Resolution No. 08-05, recommending Council approval of the amendment to R2/MDR minimum density.***

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:33 p.m. There being no speakers to address the Commission, the public hearing was closed at 6:33 p.m.

It was motioned (Merz) and seconded (Brownell) that the Planning Commission adopt Resolution No. 08-05, recommending City Council approval of the amendment to R2/MDR minimum density, based on the required findings and subject to the conditions contained therein.

Vote: 5-2 (Barrett, Hayes opposed)

For the record: Commissioner Barrett is unsure of the net gain in terms of units over the next two years, until the General Plan is amended; however, it seems this may require quite a bit of staff time and expense at a time when we have budget constraints. This (action) seems a bit symbolic.

5. REGULAR AGENDA

- 5.1 **Storm Water Management Workshop** - The Planning Commission has scheduled this workshop on Storm Water Management. Staff will provide a briefing on the subject prior to an open discussion between the Commission, the public, and staff.

Building and Development Services Director McKinley made opening remarks and introduced Senior Civil Engineer Matt Thompson. SCE Thompson presented the staff report which included a power point presentation. Material covered included the factors involved in Chico's storm water management, the significant creeks, areas of watersheds, sub-basins, underlying geology, types of aquifers, the City's Storm Drain Master Plan, reimbursement agreements, the 1998 Best Practices Manual, pervious concrete and porous pavements, sub-surface vault systems, constructed wetlands, dry and detention ponds, wet and retention ponds, the National Pollutant Discharge Elimination System (NPDES) and factors to consider when selecting Best Management Practices.

Chair Luvaas opened discussion to members of the public. Addressing the Commission was:

- **Susan Strachan**, Environmental Project Manager, CSUC, provided comments on the use of pervious concrete

It was noted that a demonstration project is planned at the CSUC (Langdon Hall).

The Planning Commission recessed at 8:28 p.m. and reconvened at 8:38 p.m. Commissioners and staff were present as noted.

6. BUSINESS FROM THE FLOOR - None

7. REPORTS & COMMUNICATIONS

7.1 Planning Update - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings will be distributed via email.

7.2 General Plan Advisory Committee (GPAC) Update - Vice Chair Kelley provided a summary report of the February 27, 2008 meeting of the GPAC.

7.3 Downtown Committee Update - Commissioner Merz provided a summary report of the February 28, 2008 meeting of the Downtown Committee.

7.4 Sustainability Task Force Update - Chair Luvaas provided a summary report of the March 3, 2008 meeting of the Sustainability Task Force.

8. ADJOURNMENT

There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 8:53 p.m. to the Adjourned Regular Meeting of March 20, 2008.

June 5, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — March 18, 2008
Minutes

- 1.1. **CLOSED SESSION** - 6:00 p.m. - see page 4
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order – Mayor Holcombe called the March 18, 2008 – Adjourned Regular Chico City Council meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street at 6:30 p.m.
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Scott Dowell, Sonrise Christian Center
- 1.6. Roll Call

Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
Absent: Schwab

Present: Barrett, Brownell, Hayes, Kelley, Merz, Minasian, Luvaas
Absent: None
- 1.7. Closed Session Announcement – None

JOINT WORKSHOP - CITY COUNCIL AND PLANNING COMMISSION - 6:35 p.m. - 7:50 p.m.

- 1.8. **GENERAL PLAN UPDATE - IMAGINE CHICO 2030 VISION BOOK AND EXISTING CONDITIONS REPORT**

At critical points in the General Plan Update process, staff and the General Plan consultant, PMC (the Project Team), are scheduled to check-in with the City Council and Planning Commission to discuss key points in this significant planning effort. The Project Team will present an overview of the outreach efforts to date, and summarize the culminating product, the Imagine Chico 2030 Vision Book. The Project Team will also provide an overview of the Existing Conditions Report, which provides a “snapshot” of existing conditions in the City. The Existing Conditions Report will serve as a technical resource for the General Plan Update and the associated environmental document. ***(Report - Holly Keeler, Principal Planner & Pam Johns, PMC - Project Manager)***

Jason Bougie addressed the Council on this item.

Councilmembers and Planning Commissionmembers provided staff with feedback on the Vision Book and the Existing Conditions Report which will be considered and incorporated into future documents.

Councilmember Bertagna requested that at the outreach meeting a record be kept as to the number and name of the participants in attendance. Staff indicated they would provide the Council with information on neighborhood groups including how many neighborhoods were represented at the outreach meetings and how many people were involved at each meeting.

The Council recessed at 7:50 p.m. in order to allow the Planning Commission to adjourn. The meeting was reconvened at 8:00 p.m. and all members of Council were present except Vice Mayor Schwab who was absent.

2. **CONSENT AGENDA** – Item 2.3. was removed from the Consent Agenda for further discussion. A motion was made by Councilmember Gruendl and seconded by Councilmember Bertagna to approve the remaining Consent Agenda items:

2.1. **ADOPTION OF ORDINANCES FOR REZONE 07-02 AND DEVELOPMENT AGREEMENT 07-01 (STONE BUILDING CORPORATION)**

Adopted - two ordinances in conjunction with the Bidwell Park Apartments low-income affordable housing project: (1) rezoning the site from R1 Low Density Residential to R3 Medium-High Density Residential; and (2) authorizing a density bonus for the purpose of developing a rental housing project for affordable to low and very low income households. These ordinances were introduced by the Council at its meeting of 3/04/08. ***The Planning Services Director recommended that the City Council adopt the ordinances by reading of the titles only.***

Councilmember Wahl voted against the rezone and development agreement. Mayor Holcombe was disqualified on this item due to his prior representation of tenants at the trailer park.

ORDINANCE NO. 2375 OF THE CITY COUNCIL OF THE CITY OF CHICO REZONING PROPERTY AT 1197 E. 8TH STREET AND 1190 E. 9TH STREET, IDENTIFIED AS ASSESSOR'S PARCEL NOS. 004-331-004 AND 014 FROM R1 LOW DENSITY RESIDENTIAL TO R3 MEDIUM-HIGH DENSITY RESIDENTIAL REZONE 07-02 (STONE BUILDING CORPORATION) - Final Reading and Adoption

ORDINANCE NO. 2376 OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHICO AND THE STONE BUILDING CORPORATION TO DEVELOP BIDWELL PARK APARTMENTS 38-UNIT AFFORDABLE HOUSING PROJECT (1197 E. 8TH STREET AND 1190 E. 9TH STREET, ASSESSOR'S PARCEL NOS. 004-331-004 AND -014) - Final Reading and Adoption

2.2. **ADOPTION OF A RESOLUTION - SEWER IN LIEU - 1013 FRANCES DRIVE**

Adopted - a resolution authorizing sewer assessments to be collected on the tax roll, in lieu of full and immediate payment of the sewer system connection fee. ***The Building & Development Services Director recommended adoption of the resolution.***

RESOLUTION NO. 13-08 OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1013 FRANCES DRIVE / ASSESSOR'S PARCEL NO. 042-390-028 (petition from property owners M. Michael and Sondra C. Moran)

2.3. **APPROVAL OF A MINUTE ORDER - AUTHORIZING AN AGREEMENT WITH CHICO UNIFIED SCHOOL DISTRICT FOR REIMBURSEMENT OF CITY'S COST TO CONSTRUCT IMPROVEMENTS AT PARKVIEW ELEMENTARY SCHOOL** – This item was removed from the Consent Agenda for further discussion.

The motion to approve the Consent Agenda, with Items 2.3. removed for further discussion, carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
NOES: Wahl, on Items 2.1. only
ABSENT: Schwab
DISQ: Holcombe on Item 2.1. only

ITEMS REMOVED FROM CONSENT

2.3. **APPROVAL OF A MINUTE ORDER - AUTHORIZING AN AGREEMENT WITH CHICO UNIFIED SCHOOL DISTRICT FOR REIMBURSEMENT OF CITY'S COST TO CONSTRUCT IMPROVEMENTS AT PARKVIEW ELEMENTARY SCHOOL**

Approved - a minute order authorizing the City Manager to execute an agreement with Chico Unified School District under which CUSD will pay for the construction of additive improvements to Parkview Elementary School in conjunction with the City's capital project to reconstruct East Eighth Street and setting forth the conditions of reimbursement for the construction of those improvements. ***The Capital Project Services Director recommended approval of the minute order.***

MINUTE ORDER NO. 02-08 - AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CHICO UNIFIED SCHOOL DISTRICT FOR THE REIMBURSEMENT OF CONSTRUCTION COSTS INCURRED BY CITY FOR INSTALLATION OF ADDITIVE IMPROVEMENTS AT PARKVIEW ELEMENTARY SCHOOL

This item was removed from the Consent Agenda for further clarification on project funding at the request of Councilmember Wahl.

A motion was made by Councilmember Gruendl to approve the minute order. The motion was seconded by Councilmember Bertagna. The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
NOES: None
ABSENT: Schwab

2. **NOTICED PUBLIC HEARINGS** – None

4. **REGULAR AGENDA**

4.1. **ACCEPTANCE AND CONSIDERATION OF FINANCE COMMITTEE RECOMMENDATION REGARDING FUNDING REQUEST FROM CHICO COMMUNITY SHELTER PARTNERSHIP/TORRES SHELTER**

At its meeting of 02/26/08, the Finance Committee recommended approval of a one-time emergency allocation of \$10,000 from Community Development Block Grant (CDBG) funds, currently reserved for the pending Torres Shelter expansion project, to the Chico Community Shelter Partnership (CCSP) to be used as additional financial assistance for the Torres Shelter. This allocation would be in addition to the \$12,000 CCSP received through the annual 2007-08 Community Organization funding process (\$8,500 is received by CCSP for operational costs; \$3,500 is a pass-through for the HELP program). ***(Report - Sherry Morgado, Housing and Neighborhood Services Director)***

Recommendation – The Finance Committee recommended (3-0) approval of a one-time emergency allocation of \$10,000 in CDBG funds for the Torres Shelter.

Corla Bertrand, Michael Reilley, Mike Trolinder and Shawn Gore addressed the Council on this item.

A motion was made by Councilmember Flynn to approve a one-time emergency allocation of \$10,000 in CDBG funds for the Torres Shelter. The motion was seconded by Councilmember Bertagna.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
NOES: None
ABSENT: Schwab

4.2. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA** – None

5. **BUSINESS FROM THE FLOOR** – None

6. **ADJOURNMENT**

The meeting adjourned at 8:33 p.m. to April 1, 2008 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by a regular meeting in the Council Chamber at 6:30 p.m.

Date Approved: April 1, 2008

Deborah R. Presson, City Clerk

CLOSED SESSION

Minutes

1. **CALL TO ORDER** – Mayor Holcombe called the March 18, 2008 – Adjourned Regular Chico City Council meeting closed session to order in the Chico Municipal Center, Conference Room #2, 421 Main Street at 6:00 p.m.

- 1.1. Roll Call

Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
Absent: Schwab

Staff Present: City Manager Burkland, City Attorney Barker, Interim Assistant City Manager Beardsley, Administrative Services Director Pierce

2. **CLOSED SESSION MATTERS**

- 2.1. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney reviewed the following case: *Jessica Haggard v. The City of Chico, et al.*, Butte County Superior Court Case No. 142552, pursuant to subdivision (a) of Government Code section 54956.9.
- 2.2. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** The City Council reviewed the City Attorney's performance. (Gov. Code Sec. 54957.)



3. **ADJOURNMENT**

Closed session adjourned at 6:30 p.m. to a City Council meeting in the Council Chamber.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
MARCH 20, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Mary Brownell
Tom Hayes
John Merz

Commissioners Absent: Kathy Barrett
Dave Kelley, Vice Chair
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

There was no ex parte communication to report.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of December 6, 2007

It was motioned (Brownell) and seconded (Hayes) to approve the minutes of the Regular Meeting of December 6, 2007, as presented, without corrections.

Vote: 4-0-3 (Barrett, Kelley and Minasian absent)

4. PUBLIC HEARING ITEMS

4.1 Use Permit 07-17 & Architectural Review 07-14 (Irwin Pancake Architects) Amanecida Common/Sierra Sunrise Terrace, APN 018-360-003 (Noticed 02-16-08)

A request to construct a three-story, 77-unit assisted living facility for seniors on a 1.89-acre site located at the southwest corner of Amanecida Common and Sierra Sunrise Terrace, adjacent to California Park Lake. The site is designated Medium-High Density Residential on the City of Chico General Plan diagram and is located in an R3 Medium-High Density Residential zoning district. *Planning staff recommends that the Planning Commission adopt the proposed mitigated negative declaration and approve the project.*

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:50 p.m. Addressing the Commission in the following order were:

- **Greg Irwin**, Irwin Pancake Architects, representing the Applicant, spoke in favor
- **Michael O'Rourke**, one of project owners, spoke in favor
- **Nathan Ryan**, neighbor, expressed concerns
- **Mary Jensen**, citizen, expressed positive comments and noted parking concerns
- **B.T. Chapman**, citizen, asked questions regarding number of units/dining facility
- **Michael O'Rourke**, project owner, responded to Mr. Chapman's questions
- **Mike Borzage**, member of Architectural Review Board (ARB), speaking as an individual, provided a computer-generated image of what the project will look like
- **B.T. Chapman**, citizen, commented on size/viability issues, Sierra Sunrise

There being no further speakers to come before the Commission, Chair Luvaas closed the public hearing at 7:23 p.m. The public hearing was re-opened at 7:36 p.m. in order to query the Applicant. Addressing the Commission in the following order were:

- **Greg Irwin**, Irwin Pancake Architects, representing the Applicant, addressed the south-facing wall and proposed variety of trees in the landscape plan
- **Michael O'Rourke**, one of project owners, addressed the easement for deliveries

The public hearing was closed at 7:41 p.m.

It was motioned (Hayes) and seconded (Brownell) that the Planning Commission adopt the mitigated negative declaration and approve Use Permit 07-17 and Architectural Review 07-14 (Irwin Pancake Architects) based on the required findings and subject to the conditions contained in the Planning Commission Agenda Report.

The Commission formulated the following additional conditions of approval:

1. ***Regular food deliveries shall utilize the rear-loading lane, accessed from adjoining property to the south, to the maximum extent feasible. A letter agreement, easement, or other suitable instrument shall be recorded as needed to ensure the long-term viability of this condition. (Use Permit Condition)***

2. ***Additional architectural detailing shall be provided on the second and third floors of the southern portion of the east elevation, through windows or other elements. (Architectural Review Condition)***

3. ***The final landscape plan shall be modified to indicate only native plants between the walking path and the southern property line. (Architectural Review Condition)***

Vote: 4-0-3 (Barrett, Kelley and Minasian absent)

The Planning Commission recessed at 7:50 p.m. and reconvened at 8:00 p.m. Commissioners and staff were present as noted.

5. REGULAR AGENDA

- 5.1 Planned Development Permit Workshop** - A discussion of Planned Development Overlay Zone District and Planned Development Permit sections of the City's Land Use and Development Regulations. Topics to include an overview of existing provisions and discussion of potential revisions to clarify code requirements and produce a more efficient and predictable process for review of projects involving Planned Development Permits. ***Planning staff recommends that the Planning Commission consider staff's report and provide direction concerning prospective revisions to the Planned Development Overlay Zoning District and the Planned Development Permit review process.***

Principal Planner Mark Wolfe presented the staff report, reviewing the four major areas of concern: 1) Unpredictable review process; 2) Inconsistent treatment of planned development permits in the zoning code; 3) Unclear expectations of planned development projects; and, 4) Unclear requirements for design review of single-family planned developments. Suggestions for addressing the issues through amendments to the code were discussed and the Commission provided comments. Staff was directed to prepare specific amendments for discussion at a future public hearing.

6. **BUSINESS FROM THE FLOOR** - None

7. **REPORTS & COMMUNICATIONS**

7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.

7.2 **Communication** - The Commission acknowledged correspondence from Melinda Vasquez dated 2/24/08 regarding noticing procedures for Architectural Review Board agenda items.

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 8:55 p.m. to the Regular Meeting of April 3, 2008.

August 7, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director

NOTICE OF PLANNING COMMISSION MEETING CANCELLATION

**PLANNING COMMISSION MEETING OF APRIL 3, 2008 CONCERNING SOUTH
WAL-MART EXPANSION PROJECT**

In preparation of the staff report and associated resolutions for the South Wal-Mart Expansion project, city staff found several aspects of the Final Environmental Impact Report (EIR) needing some revision. While the impacts of the project have been well documented, certain impacts and mitigation measures require some clarification or modification.

To ensure that everyone concerned with this project will be able to very clearly understand its potential impacts as well as the specific measures that will be taken to address them, the EIR will be revised. Once the revision is complete, the EIR will be recirculated for public review and comment. Completion of the revision and recirculation process is expected to occur within three to four months.

At the conclusion of the recirculation, the project will be scheduled for a public hearing. The Commission will at that time consider the adequacy of the Final EIR, and render a decision on the project. No date for the Commission hearing has been set at this time.

While this is an unexpected change in course for this project, staff believes the result will be a much improved Final EIR document that will be of significant benefit to the community and its decision makers.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
APRIL 17, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

City Staff Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Mike Sawley, Associate Planner
Jake Morley, Assistant Planner
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioner Brownell visited all three public hearing item sites (Christensen, Reed & Bernhardt); Commissioners Barrett, Luvaas, Kelley and Merz all spoke with Jim Stevens regarding the Christensen subdivision; and, Commissioner Hayes and Luvaas visited the Christensen site.

3. CONSENT AGENDA

3.1 Minutes - Adjourned Regular Meeting of February 15, 2007

Minutes - Regular Meeting of March 1, 2007

Minutes - Adjourned Regular Meeting of March 15, 2007

It was motioned (Kelley) and seconded (Brownell) to approve the Consent Agenda, including a correction to the February 15, 2007 minutes which was provided to the Commission via hand-out.

Vote: 5-0-0-2 (Barrett and Hayes abstained)

4. PUBLIC HEARING ITEMS

- 4.1 Conceptual Review of Christensen Subdivision on Joshua Tree Road and Godman Avenue (S/PDP 07-02), APN 007-220-013** (*Noticed 04-05-08*) At its February 21, 2008 meeting, the Planning Commission conducted a conceptual review of the referenced project and provided several suggestions. The revised project would subdivide a 4.3-acre site into 26 new residential lots of approximately 1,600 square feet each and a 3.3-acre common area. The project's density is 10.7 units per acre. The project site is designated Medium Density Residential on the General Plan diagram and located in the R2 Medium Density Residential zoning district. ***Planning staff recommends that the Planning Commission review and discuss the requested vesting tentative subdivision map and planned development permit and provide direction to the applicant regarding the project design.***

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 6:37 p.m. Addressing the Commission in the following order were:

- **Nicole Ledford**, NorthStar Engineering, representing the Applicant, spoke in favor
- **Eric Christensen**, Applicant/property owner, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:08 p.m. The Commissioners expressed frustration that the suggestions provided at the conceptual review on February 21, 2008 were not incorporated into the project design as they had hoped, primarily related to parking layout and lack of focused open space.

It was motioned (Kelley) and seconded (Merz) that this item be continued to a future meeting of the Planning Commission (date uncertain).

Motion passed by a vote of 7-0

- 4.2 Reed Parcel Map (PM 06-04) 3173 Godman Avenue, APN 007-260-004** (*Noticed 04-05-08*) A proposal to subdivide one parcel totaling 0.40 acres to create two lots. The site is designated Low Density Residential on the General Plan diagram and located in the R1 Low Density Residential zoning district. The project has been determined to be exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-06, approving the Reed Parcel Map 06-04 based on the required findings and subject to the conditions of approval contained therein.***

Assistant Planner Jake Morley presented the staff report and clarified a density figure shown on page 2. Chair Luvaas opened the public hearing at 7:20 p.m. Addressing the Commission in the following order were:

- **Jamie Eltgroth**, Lumos Engineering, representing the Applicant, spoke in favor
- **Zach Reed**, Applicant, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:25 p.m.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-06, approving the Reed Parcel Map 06-04 based on the findings and subject to the conditions of approval contained therein. The motion was amended to include the following:

1. *In the first sentence of Resolution No. 08-06, the word “once” shall be replaced with the word “one.”*
2. *The Commission recommends that the Applicant consider using “Hollywood” strips or pervious concrete for the access drive.*
3. *The Applicant shall submit a landscape plan, at the time new single-family home plans are submitted, that show new tree plantings to replace the removed Sycamore tree.*

The public hearing was re-opened at 7:39 p.m. Addressing the Commission was:

- **Zach Reed**, Applicant, responded to a question from the Commission

The public hearing was re-closed at 7:40 p.m.

Motion passed by a vote of 7-0

- 4.3 Bernhardt Tentative Parcel Map and Planned Development Permit (PM 07-05) 1444 Laurel Street, APN 005-187-007** (Noticed 04-05-08) - A proposal to subdivide a 0.25-acre site into two parcels, and to allow a second dwelling unit with minor modifications of the applicable development standards. The site is on land designated Low Density Residential on the General Plan diagram and located in the R1 Low Density Residential zoning district. The project has been determined to be exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). *Planning staff recommends that the Planning Commission adopt Resolution No. 08-07, approving the Bernhardt Tentative Parcel Map and Planned Development Permit 07-05, based on the findings and subject to the conditions of approval contained therein.*

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:45 p.m. Addressing the Commission in the following order were:

- **Tim Wood**, The Engineering Group, representing the Applicant, spoke in favor
- **Greg Peitz**, Architect, representing the Applicant, spoke in favor
- **Scott Bernhardt**, Applicant/property owner, spoke in favor

There being no further speakers, Chair Luvaas closed the public hearing at 7:57 p.m.

It was motioned (Minasian) and seconded (Barrett) that the Planning Commission adopt Resolution No. 08-07, approving Tentative Parcel Map and Planned Development Permit 07-05 (Bernhardt), based on the findings contained therein and subject to the attached conditions of approval. The motion was amended to include the following:

1. *In order to preserve the existing oak tree (emphasized), a modification to the development standards for second dwelling units to allow a 28 foot separation between the primary and secondary dwelling units is approved with this project.*

Motion passed 5-2 (Brownell and Minasian opposed)

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities including the Council's recent action on the Avenues Neighborhood Plan. A calendar of upcoming meetings was distributed.
 - 7.2 **League of California Cities Planners' Institute** - Attendees reported on the 3-day conference held in Sacramento March 26 through 28, 2008.
 - 7.3 **General Plan Advisory Committee (GPAC)** - Commissioner Kelley reported on the March 26, 2008 meeting of the GPAC.
 - 7.4 **Downtown Committee** - Commissioner Merz reported on the March 24, 2008 meeting of the Downtown Committee.
 - 7.5 **Ad-Hoc Tree Preservation Committee** - Due to overlapping meetings, Commissioner Merz was only able to attend the very end of the March 24, 2008 meeting of the Tree Preservation Committee but indicated the Committee is on track and will meet again on the last Monday in April.

- 7.6 Sustainability Task Force** - Chair Luvaas will reported on the April 7, 2008 meeting of the Sustainability Task Force.
- 7.7 Communication** - The Commission acknowledged receipt of Planning Services Director Peterson's written reply to Melinda Vasquez' 2/24/08 letter regarding noticing procedures for Architectural Review Board agenda items.
- 8. ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 9:15 p.m. to the Regular Meeting of May 1, 2008.

November 6, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MAY 1, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
 Dave Kelley, Vice Chair
 Kathy Barrett
 Mary Brownell
 Tom Hayes
 John Merz
 Susan Minasian

City Staff Present: Steve Peterson, Planning Services Director (arrived at 7:10 p.m.)
 Mark Wolfe, Principal Planner
 Roger S. Wilson, Assistant City Attorney
 Matt Johnson, Senior Development Engineer
 Mike Sawley, Associate Planner
 Greg Redeker, Associate Planner
 Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioner Merz spoke with Peggy Neufield regarding Streamside subdivision; Chair Luvaas spoke with Jim Stevens, NorthStar Engineering, regarding Streamside subdivision.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of April 5, 2007

Minutes - Adjourned Regular Meeting of April 19, 2007

Minutes - Adjourned Regular Meeting of May 10, 2007

Minutes - Adjourned Regular Meeting of May 24, 2007

It was motioned (Merz) and seconded (Kelley) to approve the Consent Agenda as presented.

Motion passed unanimously. As a result of voting abstentions, final votes on the individual meeting minutes shall be recorded as follows:

Minutes-April 5, 2007 *4-0-0-3 (Barrett, Hayes, Minasian abstained)*
Minutes-April 19, 2007 *5-0-0-2 (Barrett, Hayes abstained)*
Minutes-May 10, 2007 *4-0-0-3 (Barrett, Hayes, Luvaas abstained)*
Minutes-May 24, 2007 *4-0-0-3 (Barrett, Hayes, Luvaas abstained)*

4. PUBLIC HEARING ITEMS

- 4.1 Streamside Subdivision S 05-17 (Lee) 1145 West East Avenue, APN 042-600-003**
(Noticed 03-29-08) - A proposal to subdivide 2.15 acres to create eight lots for single-family residential development and an open space lot along Lindo Channel and the Union Pacific Railroad tracks bordering the project site. The site is located between the terminus of Streamside Court and Lindo Channel. Currently unincorporated, the site is designated R1 Low Density Residential on the General Plan diagram and is pre-zoned R1 Low Density Residential. A mitigated negative declaration is proposed for the project pursuant to the California Environmental Quality Act (CEQA). ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-10, approving the Streamside Subdivision Vesting Tentative Map (S 05-17), based on the findings contained therein and subject to the attached conditions of approval.***

Associate Planner Mike Sawley presented the staff report. Communication from a neighbor, Fred Polizo, was received the day of the meeting and provided to the Planning Commission as a hand-out. In addition, Associate Planner Sawley noted that Fire Marshal Morten Myers had requested a 28' street width for safety purposes; this would provide 8' parking on one side and a 20' access width. Chair Luvaas opened the public hearing at 6:40 p.m. Addressing the Commission in the following order were:

- **Jay Lowe**, NorthStar Engineering, representing the Applicant, spoke in favor
- **Peggy Newfield**, resident on Streamside Court, expressed concerns

There being no further speakers, the public hearing was closed at 7:00 p.m. Planning Services Director Steve Peterson arrived at 7:10 p.m.

It was motioned (Merz) and seconded (Minasian) that the Planning Commission deny the project with findings for denial as follows:

- 1. The project does not provide safe access to and from Streamside Court and East Avenue;***
- 2. The project is inconsistent with General Plan requirements that streets be single-loaded onto the creekside greenway; and,***
- 3. The bike path is not adequately visible for public safety and access.***

The public hearing was re-opened at 7:59 p.m. to hear from the Applicant:

- **Jay Lowe**, NorthStar Engineering, representing the Applicant, expressed a preference for returning to the Commission with a revised map rather than be faced with appealing a Commission denial.

The public hearing was re-closed at 8:04 p.m.

Commissioner Merz withdrew the motion currently on the floor.

It was motioned (Hayes) and seconded (Minasian) that this item be continued to a future meeting of the Planning Commission, date uncertain.

Motion passed by a vote of 7-0.

Although not made a part of the motion, the Commission summarized the items they would like to see addressed prior to the next hearing for this project:

1. Reconfigure the extension of Streamside Court to run along the creek. A modification of the standard requiring a 3:1 lot depth to width ratio could be supported if needed for the reconfiguration;
2. Configure the extension of Streamside Court to have separated sidewalk with a parkway strip for trees on the north side in front of the homes, an on-street parking lane along the south side, and accommodate a separated multi-use path along the creek-fronting portion of the south side;
3. The City of Chico shall discuss possible solutions to the traffic issues at East and Streamside Court with Butte County and report back to the Commission; and,
4. The City shall obtain additional information as to the timing and scope of annexation of the property and report back to the Commission.

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:33 p.m. Commissioners and staff were present as noted.

- 4.2 Text Amendments to Title 19 of the Chico Municipal Code, A-ZON-18A (City of Chico)** (Noticed 04-19-08) - A proposal to amend Title 19 of the Chico Municipal Code to: bring the Code into conformance with changes in state and federal law; resolve minor inconsistencies in the Code; codify interpretations made by the Planning Services Director; clarify terms and definitions; correct typographic errors; remove code sections which have been repealed by sunset clauses; and make other minor changes. No major policy modifications are proposed. The Planning Commission will make a recommendation to the City Council, which will take final action on this item.

The project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule Exemption. ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-11, recommending City Council approval of the Text Amendments to Title 19 of the Chico Municipal Code as presented.***

Associate Planner Greg Redeker presented the staff report. Chair Luvaas opened the public hearing at 9:07 p.m. Addressing the Commission was:

- Mike Trolinder, asked a question regarding signage on multi-tenant buildings.

There being no further speakers, the public hearing was closed at 9:15 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 08-11, recommending City Council approval of the Text Amendments to Title 19 of the Chico Municipal Code as presented.

Motion passed by a vote of 7-0.

- 4.3 Zoning Code Amendment A-PC-10 (City of Chico) Revisions to Planned Development (PD) Overlay Zoning District, Planned Development Standards, and Planned Development Review Procedures (Noticed 04-19-08)** - A proposal to amend Chico's Zoning Code in order to clarify the intent of the Planned Development Overlay Zoning District and Standards, eliminate inconsistencies in the Code's treatment of Planned Development zoning and standards, and clarify review of Planned Development proposals involving single-family homes. This proposal is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), General Rule Exemption. ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-12, recommending City Council approval of the Zoning Code Amendment Revisions to Planned Development (PD) Overlay Zoning District, Planned Development Standards, and Planned Development Review Procedures as presented.***

Principal Planner Mark Wolfe presented the staff report. Chair Luvaas opened the public hearing at 9:40 p.m. There being no speakers to address the Commission, the public hearing was closed at 9:40 p.m.

It was motioned (Kelley) and seconded (Minasian) that the Commission adopt Resolution No. 08-12, recommending City Council approval of the Zoning Code Amendment Revisions to Planned Development (PD) Overlay Zoning District, Planned Development Standards, and Planned Development Review Procedures with the following additional modifications to the proposal presented by Planning staff:

1. *Section 19.18.050, A.1., paragraph 2, Add “including, but not” before “...limited to building locations...”*
2. *Section 19.28.010, D., add “values and natural” before “...resources;”*
3. *Section 19.28.020, A., add “natural” before “...resources or other...”*
4. *Section 19.28.030, B., second sentence, Add “conceptual plan” before “application, together with the Director’s...”*
5. *Section 19.52.050, E., the reference to “Section 19.72.040” is deleted and replaced with: “Section 19.28.040”*

Motion passed by a vote of 7-0.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities and provided handouts including a Work Plan status update, a letter written to Butte County regarding Study Area 9, and a calendar of upcoming meetings. It was noted the Commission’s adjourned regular meeting of May 15, 2008 is cancelled.
 - 7.2 **Sustainability Task Force** - Chair Luvaas will reported on the April 21, 2008 meeting of the Sustainability Task Force.
 - 7.3 **Downtown Committee Field Trip** - The Downtown Committee’s field trip to Petaluma and Davis on April 25, 2008 was discussed by the Commission and staff.
 - 7.4 **Ad-Hoc Tree Preservation Committee** - The April 28, 2008 meeting of this Committee was cancelled and rescheduled for May 5, 2008.
 - 7.5 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 10:45 p.m. to the regular meeting of June 5, 2008.

November 6, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of

May 15, 2008 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the May 15, 2008 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, June 5, 2008 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: May 8, 2008

Distribution:

Council (7)
City Manager
City Clerk
PSD Peterson
ACA Wilson
SDE Johnson
PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JUNE 5, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
 Dave Kelley, Vice Chair
 Kathy Barrett
 Mary Brownell
 Tom Hayes
 John Merz

Commissioners Absent: Susan Minasian

City Staff Present: Steve Peterson, Planning Services Director
 Mark Wolfe, Principal Planner
 Roger S. Wilson, Assistant City Attorney
 Matt Johnson, Senior Development Engineer
 Zach Thomas, Senior Planner
 Mike Sawley, Associate Planner
 Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Commissioner Brownell and Chair Luvaas both spoke with Jay Lowe, NorthStar Engineering regarding the Streamside subdivision; Tom Hayes spoke with Jim Stevens, NorthStar Engineering regarding the Streamside subdivision.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of June 7, 2007

Minutes - Adjourned Regular Meeting of June 21, 2007

Minutes - Adjourned Regular Meeting of July 19, 2007

Minutes - Regular Meeting of August 2, 2007

Minutes - Adjourned Regular Meeting of September 20, 2007

Minutes - Regular Meeting of March 6, 2008

It was motioned (Merz) and seconded (Kelley) to approve the Consent Agenda, with the following corrections:

1. *Minutes of July 19, 2007, Page 4, Exhibit I, Section 1 (Air Quality) is amended to read as follows: "...diesel equipment will not be allowed to idle for periods ~~not to exceed~~ **exceeding** 5 consecutive minutes..."*
2. *Minutes of September 20, 2007, Page 2 is amended to read "~~Jon~~ **John** Anderson"*

Motion passed by a vote of 6-0-1 (Minasian absent). As a result of voting abstentions, final votes on the individual meeting minutes shall be recorded as follows:

<i>June 7, 2007</i>	<i>3-0-1-3 (Minasian absent; Barrett, Hayes, Luvaas abstained)</i>
<i>June 21, 2007</i>	<i>4-0-1-2 (Minasian absent; Barrett, Hayes abstained)</i>
<i>July 19, 2007</i>	<i>4-0-1-2 (Minasian absent; Barrett, Hayes abstained)</i>
<i>August 2, 2007</i>	<i>4-0-1-2 (Minasian absent; Barrett, Hayes abstained)</i>
<i>September 20, 2007</i>	<i>4-0-1-2 (Minasian absent; Barrett, Hayes abstained)</i>
<i>March 6, 2008</i>	<i>6-0-1-0 (Minasian absent)</i>

4. PUBLIC HEARING ITEMS

- 4.1 Streamside Subdivision S 05-17 (Lee) 1145 West East Avenue, APN 042-600-003** *(Continued from 05-01-08 Meeting) (Noticed 05-24-08)* - A proposal to subdivide 2.15 acres to create eight lots for single-family residential development and an open space lot along Lindo Channel and the Union Pacific Railroad tracks bordering the project site. The site is located between the terminus of Streamside Court and Lindo Channel. Currently unincorporated, the site is designated R1 Low Density Residential on the General Plan diagram and is pre-zoned R1 Low Density Residential. A mitigated negative declaration is proposed for the project pursuant to the California Environmental Quality Act (CEQA). ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-10, approving the Streamside Subdivision Vesting Tentative Map (S 05-17), based on the findings and subject to the conditions of approval contained therein.***

Associate Planner Mike Sawley presented the staff report. Senior Development Engineer Matt Johnson reported on City dialogue with Butte County traffic engineering. Chair Luvaas opened the public hearing at 6:42 p.m. Addressing the Commission in the following order were:

- **Jay Lowe**, NorthStar Engineering, representing the Applicant, spoke in favor
- **Peggy Newfield**, resident on Streamside Court, expressed concerns
- **Jim Stevens**, NorthStar Engineering, representing the Applicant, responded to comments regarding possible future annexation

There being no further speakers, the public hearing was closed at 7:06 p.m. Principal Planner Mark Wolfe left the Council Chambers at 7:18 p.m. to retrieve a letter from a file in the Municipal Building.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-10, based on the findings and subject to the conditions of approval contained therein and subject to additional conditions of approval as follows:

- 1. Contiguous sidewalk shall be constructed along the south side of the extension of Streamside Court, between the 25-foot wide vehicular accessway for Lots 1-3 and the bike path connection at the cul-de-sac bulb;*
- 2. Permanent fencing constructed by the developer along the creek on lots 1-3 shall be open-style fencing that preserves the visual access to the creek for the future residents;*
- 3. Residences on lots 2 and 3 shall be oriented toward the creek. The residence on lot 1 shall be oriented toward the creek if feasible;*
- 4. Use of pervious surfaces for the vehicular and pedestrian accessways on lots 1-2 is recommended;*
- 5. During construction activities, temporary fencing shall be placed along Lindo Channel at a location 25-feet from the top of bank. This condition shall be implemented in coordination with mitigation measure C.1, such that both requirements are met during construction; and,*
- 6. The word "raptor" is deleted from Section 2.C-2 on page 2 of the Mitigation monitoring report.*

The following additional conditions of approval shall be addressed in Development Engineering's revised Subdivision Report (Exhibit III to Resolution No. 08-10):

- 7. Establishment of maintenance district shall include provision for a park bench and a trash receptacle;*
- 8. Street light mid-street on Streamside Court shall be fully-shielded, shoebox-style; and,*
- 9. Security lighting, compatible with the bike path to the south, shall be provided along the railroad track.*

The Commission requested the following be made a part of the record, however, it is understood that these are not conditions of approval:

1. *Recommend that native shade trees, designated by the Urban Forester, be planted along lot A and the bike path; and,*
2. *It is noted that the Planning Commission is concerned about adequate signage during construction activities.*

Motion passed by a vote of 5-1-1 (Brownell opposed; Minasian absent)

It was motioned (Merz) and seconded (Brownell) that the Planning Commission forward a request to Council that both Streamside and Walnut Glen be annexed into the City.

Motion failed by a vote of 3-3-1 (Barrett, Hayes, Kelley opposed; Minasian absent)

The Planning Commission recessed at 8:10 p.m. and reconvened at 8:20 p.m. Commissioners and staff were present as noted.

- 4.2 Parcel Map PM 07-06 (O'Laughlin) 615 Henshaw Avenue, APN 042-780-005**
*(Noticed 05-24-08) - A proposal to subdivide a 1.01-acre parcel to create three lots with a proposed average lot size of 0.33 acres. An existing home on the site is to be retained, with two new parcels developed with single-family homes in the future. The site is designated Low Density Residential on the General Plan diagram and located in an R1 Low Density Residential zoning district. The project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15315 (Minor Land Divisions). **Planning staff recommends that the Planning Commission adopt Resolution No. 08-08, approving Parcel Map PM 07-06 (O'Laughlin) based on the required findings and subject to the conditions of approval contained therein.***

Senior Planner Zach Thomas presented the staff report. Chair Luvaas opened the public hearing at 8:28 p.m. Addressing the Commission in the following order were:

- **Kevin O'Laughlin**, Applicant, spoke in favor
- **John Fitton**, neighbor on Henshaw, expressed concerns
- **Bruce Nash**, Rolls Anderson and Rolls, stated the parcel map does not create a flag lot, however it would be similar to a flag lot with respect to access
- **Jeff Casperson**, neighbor on Henshaw, expressed a concern
- **Dianne Barcelona**, neighbor on La Bonita, asked about the driveway location

There being no further speakers, the public hearing was closed at 9:00 p.m.

It was motioned (Brownell) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-08, approving the O'Laughlin Tentative Parcel Map (PM 07-06), based on the required findings, subject to the conditions of approval contained therein and the following additional conditions of approval:

- 1. Henshaw Avenue and Cussick Avenue shall have an 18 foot street half-width;*
- 2. Sidewalk shall be meandering to preserve any walnut trees found to be of value, as determined by the City's Urban Forester; and,*
- 3. The reference to "raptor nests" in Condition No. 7, Exhibit I to Resolution No. 08-08, is amended to read "migratory bird nests."*

Motion passed by a vote of 6-0-1. (Minasian absent)

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - There was no business from the floor.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities and a calendar of upcoming meetings. Commissioner Merz asked about the possibility of meeting individually with Planning Services Director Peterson or Principal Planner Mark Wolfe to address standardizing language in Mitigation Monitoring Programs.
 - 7.2 **General Plan Advisory Committee (GPAC)** - Vice Chair Kelley provided a report on the May 28, 2008 meeting of the GPAC.
 - 7.3 **Sustainability Task Force** - Chair Luvaas provided a report on the May 19, 2008 and June 2, 2008 meetings of the Sustainability Task Force.
 - 7.4 **Ad-Hoc Tree Preservation Committee** - Commissioner Merz provided a report on the May 5, 2008 meeting of the Tree Preservation Committee.
 - 7.5 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business, Chair Luvaas adjourned the meeting at 9:53 p.m. to the adjourned regular meeting of June 19, 2008.

November 6, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — June 17, 2008

Minutes

- 1.1. **CLOSED SESSION** - 5:30 p.m. - see page 9
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order – Mayor Holcombe called the June 17, 2008 – Adjourned Regular Chico City Council meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street at 6:35 p.m.
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Scott Dowell, Sonrise Christian Center
- 1.6. Roll Call

City Council

Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Schwab, Holcombe
Absent: None

Planning Commission

Present: Barrett, Brownell, Kelley, Merz, Minasian, Luvaas
Absent: Hayes

- 1.7. Closed Session Announcement – None

2. **CONSENT AGENDA** – Items 2.1. and 2.2. were removed from the Consent Agenda for further discussion. A motion was made by Vice Mayor Schwab and seconded by Councilmember Bertagna to approve the remaining Consent Agenda items.

2.1. **ADOPTION OF A RESOLUTION AUTHORIZING A GRANT OF LICENSE TO CALIFORNIA STATE UNIVERSITY, CHICO** – *This item was removed from Consent for further discussion.*

2.2. **ADOPTION OF A RESOLUTION OF INTENTION TO ABANDON A PORTION OF A PUBLIC STREET - CHERRY STREET BETWEEN WEST FIRST AND WEST SECOND STREETS** – *This item was removed from Consent for further discussion.*

2.3. **ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB)**

Adopted - a resolution authorizing the submittal of applications for annual used oil recycling grants, or other CIWMB grants the City may be eligible for and interested in for five years. This resolution also authorizes the City Manager to execute grant agreements and implement the grant programs if awarded. **Management Analyst Herman recommended adoption of the resolution.**

RESOLUTION NO 46-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD FROM JULY 1, 2008 TO JUNE 30, 2013

2.4. **APPROVAL OF A MINUTE ORDER AUTHORIZING THE CITY MANAGER TO EXECUTE NON-EXCLUSIVE EASEMENTS TO PACIFIC GAS AND ELECTRIC COMPANY AND COMCAST COMMUNICATIONS FOR RELOCATION OF UTILITIES FROM THE PUBLIC RIGHT OF WAY TO BIDWELL PARK**

JOINT WORKSHOP - CITY COUNCIL AND PLANNING COMMISSION - 6:30 p.m. - 7:30 p.m.

1.8. **GENERAL PLAN UPDATE - Imagine Chico 2030 Key Issues Report and Draft Guiding Principles**

At critical points in the General Plan Update process, staff and the General Plan consultant, PMC (the Project Team), are scheduled to check-in with the City Council and Planning Commission to discuss key points in this significant planning effort. The Project Team presented an overview of the “Key Issues Report” which is the second phase of the outreach effort to date. The Team provided an overview of the development of the Chico 2030 General Plan Draft Guiding Principles, which provides the framework and benchmarks to direct Chico’s future, consistent with the community values and desires expressed to date. **(Report - Holly Keeler, Principal Planner & Pam Johns, PMC - Project Manager)**

Addressing the Council and Planning Commission was Jason Bougie who questioned the process and how the relationship between the City and County was in terms of the development of the County’s General Plan.

Also addressing the Council was Barbara Vlamis who indicated that she had issues with the process but would be submitting them in writing to the Planning Commission and Council directly.

The City Council and Planning Commission provided feedback to the Project Team. No formal action was needed during this phase of the project.

Approved - a minute order authorizing execution of non-exclusive easements allowing PG&E and Comcast Communications to relocate their facilities from the public right of way to Annie’s Glen in

connection with the construction of a Pine Street undercrossing for pedestrians and bicyclists. **The Capital Project Services Director recommended approval of the minute order.**

MINUTE ORDER NO. 04-08 - AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE NON-EXCLUSIVE EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY AND COMCAST COMMUNICATIONS FOR RELOCATION OF TRANSMISSION LINES AND FIBER OPTIC CABLE WITHIN ANNIE'S GLEN PARK ADJACENT TO PINE STREET



The motion to approve the Consent Agenda, with Items 2.1. and 2.2. removed for further discussion, carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe

NOES: None

ITEMS REMOVED FROM CONSENT

- 2.1. ADOPTION OF A RESOLUTION AUTHORIZING A GRANT OF LICENSE TO CALIFORNIA STATE UNIVERSITY, CHICO

Adopted - a resolution authorizing a grant of license to California State University, Chico to encroach on public right of way for the purpose of installing underground infrastructure in West First Street adjacent to the railroad tracks and in Cherry Street that will ultimately serve the new Wildcat Activity Center. The infrastructure will include steam, chilled water, electrical, and communication lines. **The Building and Development Services Director recommended adoption of the resolution.**

This item was removed from the Consent Agenda at the request of a citizen for additional discussion. Councilmember Flynn and Vice Mayor Schwab were disqualified on this item due to the request being made by their employer. Charlie Preusser and Ken Fleming addressed the Council in opposition to the adoption of the resolution.

A motion was made by Councilmember Gruendl and seconded by Councilmember Bertagna to adopt the following resolution:

RESOLUTION NO. 44-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AUTHORIZING GRANT OF LICENSE TO CALIFORNIA STATE UNIVERSITY CHICO FOR ENCROACHMENT ON PUBLIC RIGHT OF WAY (W. FIRST AND CHERRY STREETS)

The motion carried by the following vote:

AYES: Bertagna, Gruendl, Nickell, Wahl, Holcombe

NOES: None

DISQ: Flynn, Schwab

2.2. **ADOPTION OF A RESOLUTION OF INTENTION TO ABANDON A PORTION OF A PUBLIC STREET - CHERRY STREET BETWEEN WEST FIRST AND WEST SECOND STREETS**

Adopted - a resolution of intention to abandon and vacate a portion of a public street, located on Cherry Street between West First and West Second Streets, to allow for bicycle parking at the CSU Chico Wildcat Activity Center. ***The Building & Development Services Director recommended adoption of the resolution which scheduled a public hearing on 7/15/08.***

This item was removed from the Consent Agenda for further discussion at the request of a citizen. Councilmember Flynn and Vice Mayor Schwab were both disqualified on this item due to this item pertaining to their employer.

Addressing the Council in opposition to the abandonment were Charlie Preusser, Michael Reilley and Ken Fleming. Addressing the Council as a representative of the University and in support of the abandonment was Glenda Morse.

A motion was made by Councilmember Gruendl and seconded by Councilmember Bertagna to adopt the following resolution which schedules a public hearing on 7/15/08 at which time staff will provide clarification on the concerns expressed by the citizens.

RESOLUTION NO. 45-08 – A RESOLUTION OF INTENTION OF THE COUNCIL OF THE CITY OF CHICO TO ABANDON AND VACATE A PORTION OF A STREET PURSUANT TO THE PUBLIC STREETS, HIGHWAYS, AND SERVICE EASEMENTS VACATION LAW (CHERRY STREET BETWEEN WEST FIRST AND WEST SECOND STREETS - CSU CHICO)

The motion carried by the following vote:

AYES: Bertagna, Gruendl, Nickell, Wahl, Holcombe

NOES: None

DISQ: Flynn, Schwab

3. **NOTICED PUBLIC HEARINGS**

3.1. **HEARING ON INCREASE IN SANITARY SEWER LIFT STATION SERVICE RATES**

The City proposed an increase in monthly service rates for sanitary sewer lift stations in the next fiscal year to cover the increased costs of operating, maintaining and improving lift stations for sewer customers. Recent case law required that the City hold a public hearing prior to any such increases. If a majority of affected property owners protest, the proposed rate changes would not be imposed. ***(Report - Fritz McKinley, Building & Development Services Director)***

Mayor Holcombe opened the hearing to the public regarding the proposed sanitary sewer lift station rate increases. No one spoke and the hearing was closed.

No formal action was required by the City Council on this matter.

3.2. HEARING ORDERING FORMATION OF MAINTENANCE DISTRICT NO. 584 - MARTHA'S VINEYARD SUBDIVISION

A condition of approval of the Martha's Vineyard Subdivision required the establishment of a funding mechanism for the annual costs of operating and maintaining underground storm water quality and quantity treatment facilities that are of special benefit to the subdivision located on Ceanothus Avenue, north of East Avenue. **(Report - Fritz McKinley, Building & Development Services Director)**

Mayor Holcombe opened the hearing to the public. No one spoke and the hearing was closed.

A motion was made by Vice Mayor Schwab and seconded by Councilmember Bertagna to adopt a resolution ordering the formation of a maintenance assessment district and to approve the declaration of conditions, covenants, and restrictions relating to City of Chico Maintenance Assessment District No. 584 - Martha's Vineyard Subdivision.

RESOLUTION NO. 47-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO ORDERING FORMATION OF A MAINTENANCE ASSESSMENT DISTRICT PURSUANT TO THE MAINTENANCE DISTRICT ORDINANCE OF 1997 AND APPROVING A DECLARATION OF CONDITIONS, COVENANTS, AND RESTRICTIONS RELATING THERETO - CITY OF CHICO MAINTENANCE ASSESSMENT DISTRICT NO. 584 - MARTHA'S VINEYARD SUBDIVISION

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe

NOES: None

3.3. HEARING REGARDING GENERAL PLAN AMENDMENT/REZONE 08-03 (CITY OF CHICO) AMENDING THE CHICO GENERAL PLAN AND TITLE 19 OF THE CHICO MUNICIPAL CODE TO INCREASE THE MINIMUM DENSITY IN THE MEDIUM DENSITY RESIDENTIAL LAND USE DESIGNATION AND THE R2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT

A public hearing and introductory reading of proposed amendments to the minimum density in both the Medium Density Residential (MDR) General Plan land use designation and the R2 Medium Density Residential zoning district from the current 5.5 units per gross acre to 7.01 units per gross acre. The Planning Commission previously considered this matter at a workshop on 2/07/08, and a public hearing on 3/06/08, and recommended City Council approval of the amendments. The amendments to MDR/R2 minimum density have no physical impact on the environment which was not contemplated with the Environmental Impact Report for the 1994 City of Chico General Plan; therefore, no further environmental review is required. Councilmember Bertagna was disqualified on this item due to the zoning of his neighborhood. **(Report - Greg Redeker, Associate Planner)**

Mayor Holcombe opened the hearing to the public. Addressing the Council regarding this item were Jon Luvaas, Arlene Ward and Michael Reilley. The hearing was closed to further public comment.

Councilmember Wahl expressed his opposition to the proposed amendment due to it taking away options for single family residences and because this issue is currently being addressed in the General Plan update.

A motion was made by Vice Mayor Schwab and seconded by Councilmember Flynn to adopt the following resolution amending the General Plan to increase the minimum density in the medium density residential land use designation and introduce the following ordinance by reading of the title only:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING TITLE 19 OF THE CHICO MUNICIPAL CODE TO INCREASE THE MINIMUM DENSITY IN THE R2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT - Introductory Reading

RESOLUTION NO. 48-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE GENERAL PLAN TO INCREASE THE MINIMUM DENSITY IN THE MEDIUM DENSITY RESIDENTIAL LAND USE DESIGNATION

The motion carried by the following vote:

AYES: Flynn, Gruendl, Nickell, Schwab, Holcombe
NOES: Wahl
DISQ: Bertagna

4. **REGULAR AGENDA**

4.1. **REPORT TO THE COMMUNITY: AIR POLLUTION - HEALTH EFFECTS AND LOCAL SOLUTIONS**

James Wagoner, Butte County Air Quality Management District, and Dr. Gary Incaudo presented the following information on air pollution in Butte County: (1) health concerns with pollutants; (2) identification of major contributors; (3) discussion of the District's air quality programs; and (4) suggestions on how the City of Chico can help to mitigate the health risk and bring the County into compliance with mandated Federal and State standards.

Addressing the Council on this item were Luke Anderson, Tony Kilcollins, Ken Fleming and Bob Ryan.

A motion was made by Councilmember Flynn and seconded by Councilmember Nickell to refer the report to the Sustainability Task Force for consideration and possible recommendations, cost alternatives as well as an economic development analysis. It was noted that Councilmember Gruendl would attend the Sustainability Task Force meeting as a liaison from the Air Quality Management District.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

4.2. **CONSIDERATION OF THE INTERNAL AFFAIRS COMMITTEE RECOMMENDATIONS REGARDING AN HISTORIC PRESERVATION PROGRAM**

At its 2/05/08 meeting the Council considered the recommendations of the Internal Affairs Committee meeting of 12/11/07, where the Committee voted to forward these recommendations to the Council for action. At that meeting, the Council voted (4 in favor, 3 opposed) to: (1) not accept the recommendations of the IAC; and (2) directed staff to provide Council with additional information on funding sources necessary to implement the Program. (**Report - Bob Summerville, Senior Planner**)

Addressing the Council in support of the proposed program were Christina Aranguren, Debbie Villasenor, John Gallardo, Susan Mason and Arlene Ward.

A motion was made by Councilmember Nickell and seconded by Councilmember Gruendl to accept and approve the recommendation (2-0, with one absent) of the Internal Affairs Committee at its 12/11/07 meeting regarding the Historic Preservation Program as follows:

1. Return with the existing Historic Resources Inventory for formal adoption;
2. Consider updating the City's Historic Resources Inventory based on neighborhood boundaries and eligibility criteria as part of the historic preservation ordinance;
3. Prepare an Historic Preservation Element as part of the General Plan update;
4. Consider amendments to the qualifications of the ARB to be consistent with the requirements of a Certified Local Government; and
5. Prepare a draft historic preservation ordinance for consideration by the City Council.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

The Council recessed for a ten-minute break at 10:05 p.m. The meeting reconvened and all members were present.

4.3. **CONSIDERATION OF THE INTERNAL AFFAIRS COMMITTEE RECOMMENDATIONS - MEMORANDUM OF UNDERSTANDING REGARDING GUIDING PRINCIPLES FOR THE CITY OF CHICO WITH THE MECHOOPDA INDIAN TRIBE OF THE CHICO RANCHERIA**

Planning Services Department staff had recently met with the Tribe to discuss minor revisions to the MOU since it was last reviewed by the Internal Affairs Committee. Staff worked with the consulting firm of PMC to develop a preliminary scope and budget of a Cultural Resource Management Plan which is the primary budget item required to implement the MOU. *(Report - Bob Summerville, Senior Planner)*

Addressing the Council in support of this item was Sandra Knight.

A motion was made by Vice Mayor Schwab and seconded by Councilmember Bertagna to accept the recommendation (3-0) of the Internal Affairs Committee at its 1/10/07 meeting to:

1. Approve the Memorandum of Understanding Regarding Guiding Principles for the City of Chico with the Mechoopda Indian Tribe of the Chico Rancheria; and
2. Directed staff to work with the Tribe to develop refined cost estimates for implementing the MOU, and forward those estimates for Council consideration.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

4.4. **CONSIDERATION OF COUNCILMEMBER FLYNN'S REQUEST TO CONSIDER THOMAS HALL'S E-MAIL REGARDING DOWNTOWN ISSUES**

Councilmember Flynn requested that the City Council consider an e-mail from Thomas Hall asking for help solving a problem with transients causing damage to his downtown business. Vice Mayor Schwab was disqualified on this item due to the close proximity of her business to the area to be discussed.

A motion was made by Councilmember Gruendl and seconded by Councilmember Flynn to refer the discussion of downtown enforcement to the Internal Affairs Committee with staff to provide the Committee with an update on programs currently in place and any additional plans for enforcement considering that this issue is also being addressed as part of the downtown element in the General Plan update.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Wahl, Holcombe
NOES: None
DISQ: Schwab

4.5. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA – None**

5. **BUSINESS FROM THE FLOOR** – None

6. **ADJOURNMENT**

Adjourned to a Redevelopment Agency meeting in the Council Chamber.



Date Approved: August 5, 2008

Deborah R. Presson, City Clerk

ADJOURNED REGULAR CHICO REDEVELOPMENT AGENCY MEETING — June 17, 2008
Minutes

1. **CALL TO ORDER** – Board Chair Holcombe called the June 17, 2008 – Adjourned Regular Chico Redevelopment Agency meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street.

- 1.1. Roll Call

Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Schwab, Holcombe

Absent: None

2. **CONSENT AGENDA**

3. **NOTICED PUBLIC HEARINGS**

4. **REGULAR AGENDA**

- 4.1. **ITEMS ADDED AFTER POSTING OF THE AGENDA**

5. **REPORTS AND COMMUNICATIONS**

The following reports and communication items were provided for the Council's information. No action was taken on any of the items unless otherwise noted.

- 5.1. Letter dated 5/20/08 from Susan Hearne requesting that the Agency reconsider the approvals that have lead to the Bidwell Park Apartment project. A Bidwell Park Apartments Project Status Summary was provided by the Housing and Neighborhood Services Director. Board Chair Holcombe was disqualified on this item due to a business conflict.

Addressing the Agency on this item were Tom Steele, Sue Hearne, Chris Michols, Rob MacKenzie, Anna Marie Cooper and Hasan MacNeil. Additional information was provided to the Agency via an email from Jim Schmidt.

A motion was made by Boardmember Wahl to reconsider the approval of the project at a future meeting. The motion died for a lack of a second and also because pursuant to the Council's rules and procedures, only a member of the prevailing side can bring back an item for reconsideration.

A motion was made by Boardmember Bertagna and seconded by Boardmember Gruendl to direct staff to provide Council with additional information. The motion carried 5-1-1, with Wahl opposed and Holcombe disqualified.

6. **ADJOURNMENT**

Adjourned at 11:06 p.m. to July 1, 2008 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by a regular meeting in the Council Chamber at 6:30 p.m.



Date Approved: August 5, 2008

Deborah R. Presson, Agency Secretary

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — June 17, 2008

CLOSED SESSION

Minutes

1. **CALL TO ORDER**

1.1. Roll Call

1.2. Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Schwab, Holcombe
Absent: None

Staff Members: City Manager Burkland, City Attorney Barker, Assistant City Manager Beardsley, City Clerk Presson

2. **CLOSED SESSION MATTERS**

2.1. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney reviewed the following case: *Thomas V. Fogarty, et al. v. City of Chico, et al.*, U.S. District Court, Eastern District, Case No. 2:06-CV-01007-JAM-GGH, pursuant to subdivision (a) of Government Code section 54956.9.

2.2. **CONFERENCE WITH LABOR NEGOTIATOR**
(Gov. Code Sec. 54957.6.)

Negotiator: Dave Burkland, City Manager and Dan Fulks, Director of Human Resources

Employee Organizations: Management Employees, Confidential Employees, Public Safety Management Employees, Chico Police Officers' Association, Chico Public Safety Association, International Association of Firefighters, Service Employees International Union (Trades and Crafts Unit and Clerical, Technical and Professional Unit).



3. **ADJOURNMENT**

Adjourned at 6:30 p.m. to a City Council meeting in the Council Chamber.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JUNE 19, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell
John Merz
Susan Minasian

Commissioners Absent: Tom Hayes

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Zach Thomas, Senior Planner
Mike Sawley, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Greg Redeker, Associate Planner

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Luvaas: Spoke with John Anderson, New Urban Builders, regarding Meriam Park design questions, understanding of project and Jim Mann, Rural Consulting Associates regarding DeGarmo Terrace.

3. CONSENT AGENDA

- 3.1 Minutes** - Regular Meeting of November 1, 2007
Minutes - Adjourned Regular Meeting of November 15, 2007

It was motioned (Kelley) and seconded (Minasian) to approve the Consent Agenda with one correction to the Minutes of November 15, 2007 as follows:

*Agenda Item 4.1, Humboldt Trail Estates, bottom of page 2 is amended to read: “The Planning Commission requested **added** the following additional conditions of approval:”*

Motion passed by a vote of 6-0-1 (Hayes absent). As a result of voting abstentions, final votes on the individual meeting minutes shall be recorded as follows:

November 1, 2007 4-0-1-2 (Hayes absent; Barrett, Merz abstained)

November 15, 2007 5-0-1-1 (Hayes absent; Barrett abstained)

4. PUBLIC HEARING ITEMS

- 4.1 Meriam Park Phases 5-8 Vesting Tentative Subdivision Map S 08-04 (Meriam Park, LLC), located north of East 20th Street, south of Little Chico Creek, west of Bruce Road, and adjacent to the east side of Bedford Drive (APNs various) (Noticed 06-07-08)** - A proposal to subdivide a 27-acre portion of the larger Meriam park site into 79 lots to be developed under the City’s “Traditional Neighborhood Development” (or TND), code. In addition, the map would create a 3-acre park site and add 0.5 acres to the Little Chico Creek Greenway. Regulating Plan and Circulation Plan will also be considered. Regulating Plan generally establishes the intensity of future development, and the Circulation Plan specifies the types of streets that will make up the emergency response network. The boundaries of the map coincide with previously-approved Subdivision 07-10 (Meriam Park Phases 5-7), which would be replaced and superceded by the proposed map, which is being pursued to accommodate an affordable housing project. The site is designated Special Mixed-Use (7.0 to 35.0 units per gross acre) on the General Plan diagram and zoned TND Traditional Neighborhood Development. An Environmental Impact Report (EIR) was certified by the City Council during the approval process for the Meriam Park Master Plan. The project will not result in any new significant impacts that were not previously evaluated in the EIR. Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, no further environmental review is needed because this project is consistent with the EIR. *Planning staff recommends that the Planning Commission adopt Resolution No. 08-09, approving the Meriam Park Phases 5-8 Vesting Tentative Subdivision Map (S 08-04), based on the required findings and subject to the conditions of approval contained therein.*

Commission Barrett recused due to a conflict of interest and left the Council Chambers. Associate Planner Mike Sawley presented the staff report. John Anderson, New Urban Builders also made a presentation. Chair Luvaas opened the public hearing at 6:55 p.m. Addressing the Commission was:

- **Laurie Schmidt**, Affordable Housing Development Corporation, working with New Urban Builders, looks forward to a successful affordable housing project

There being no further speakers to come before the Commission, the public hearing was closed at 6:57 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 08-09, approving the Meriam Park Phases 5-8 Vesting Tentative Subdivision Map (S 08-04), based on the required findings and subject to the conditions of approval contained therein.

Commissioner Merz asked about the pre-application neighborhood meeting. The public hearing was re-opened at 7:00 p.m. in order to hear from the Applicant:

- **Tom DiGiovanni**, New Urban Builders, summarized the neighborhood meeting

The motion on the floor was amended to include the following additional conditions of approval:

1. *A pedestrian crossing shall be added on Hartford Drive for the Parkside Terrace project, connecting the southern portion (lot 238) to the northern portion (lot 202); and,*
2. *The applicant shall convey in writing to all sub-contractors that compliance with all of the air quality measures listed in Mitigation Measure AIR-2 is required.*

Motion passed by a vote of 5-0-1-1 (Hayes absent; Barrett abstained).

It is noted for the record that the public hearing was not re-closed. Commissioner Barrett returned to the Council Chambers.

- 4.2 General Plan Amendment/Specific Plan Amendment/Rezone GPA/SPA/RZ 08-01 (Discovery Builders), north side of Nord Highway at Mud Creek, APN 006-170-034 (Noticed 06-07-08)** - A request to amend the Chico General Plan diagram to change the land use designation from Low Density Residential to Medium Density Residential, to amend the Northwest Chico Specific Illustrative Plan to change the depiction of the site from Single-Family Residential to Multi-Family Residential, and to rezone the property from R1 (2.01 to 6 units per acre) to R2 (7.01 to 14 units per acre). The proposal involves a 12.6-acre parcel located on the north side of Nord Highway, adjacent to the Mud Creek levee at the northern boundary of the City of Chico. No development of the site is currently proposed and any future development will be subject to applicable land use and development regulations. An Environmental

Impact Report (EIR) was certified by the City Council during the approval process for the Northwest Chico Specific Plan. The project will not result in any new significant impacts that were not previously evaluated in the EIR. Pursuant to Public Resources Code Section 21155, no additional environmental review is necessary because the proposed changes in land use designations fall within the scope of the adopted EIR. ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-13, recommending that the City Council approve General Plan Amendment, Specific Plan Amendment, and Rezone 08-01.***

Associate Planner Mike Sawley presented the staff report. Chair Luvaas opened the public hearing at 7:40 p.m. Addressing the Commission was:

- **Jim Mann**, representing the applicant, Discovery Builders, spoke in favor

There being no further speakers to come before the Commission, the public hearing was closed at 7:54 p.m.

It was motioned (Kelley) and seconded (Barrett) that the Planning Commission adopt Resolution No. 08-13 (Discovery Builders), recommending that the City Council approve General Plan Amendment, Specific Plan Amendment, and Rezone 08-01.

Vote: 6-0-1 (Hayes absent)

The Planning Commission recessed at 8:02 p.m. and reconvened at 8:13 p.m. Commissioners and staff were present as noted.

- 4.3 DeGarmo Terrace (GPA/RZ 08-02, S/PDP 07-11) Northwest corner of Esplanade and the Future DeGarmo Drive, across from DeGarmo Park, APNs 006-690-013 and a portion of 006-690-010 (Noticed 06-07-08)** - A proposal to subdivide a vacant 6.14-acre site into 41 attached single-family residential lots, 5 commercial lots, and 2 common area lots for parking and common area. The commercial lots are to be developed with single-story buildings totaling approximately 25,000 square feet. The site is designated Medium-High Density and Mixed-Use Neighborhood Core on the General Plan diagram and is located within the R3 Medium-High Density Residential (14.1 to 22 units per gross acre) and the Neighborhood Commercial zoning districts. The site is also depicted as Multi-Family Residential and Mixed-Use Commercial within the Northwest Chico Specific Plan. The proposal includes rezoning the site with a Planned Development overlay zone as well as an Amendment to the Northwest Chico Specific Plan to allow horizontal vs. vertical mix of use commercial and residential uses. An Environmental Impact Report (EIR) was certified by the City Council during

the approval process for the Northwest Chico Specific Plan. The project will not result in any new significant impacts that were not previously evaluated in the EIR. Pursuant to Public Resources Code Section 21166, no additional environmental review is necessary because the proposed changes in land use designations fall within the scope of the adopted EIR. ***Planning staff recommends that the Planning Commission adopt Resolution 08-14 recommending that the City Council approve Specific Plan Amendment and Rezone 08-02 and Tentative Subdivision Map and Planned Development Permit 07-11.***

Senior Planner Zach Thomas presented the staff report. Chair Luvaas opened the public hearing at 8:25 p.m. Addressing the Commission was:

- **Jim Mann**, Rural Consulting Associates, representing the Applicant, spoke in favor of the project. Mr. Mann expressed that vertical mixed use was appropriate in downtown locations, but not in locations such as the project site. He noted that such a project would not be feasible due to land economics, and that lenders generally find vertical mixed use projects risky to finance. Mr. Mann also summarized the potential conflicts between residential and commercial uses in such a configuration. He further noted the increased construction costs as compared to horizontal mixed use, and pointed out the difficulties in leasing space in vertical mixed use projects, given their higher costs and competition from more affordable, more desirable alternatives available in the market.

There being no further speakers, the public hearing was closed at 8:36 p.m. The public hearing was re-opened at 8:41 p.m. Addressing the Commission was:

- **Jim Mann**, Rural Consulting Associates, representing the Applicant, indicated commercial height is 35 feet and residential height is 30 feet

The public hearing was re-closed at 8:48 p.m.

- Commissioner Merz asked questions about building heights and parking, which were answered.
- Chairman Luvaas stated his view that the proposed Amendment was significant, and would affect the entire Specific Plan. He provided excerpted language from the Plan relating to vertical mixed use on the subject site, noting that it was intended to frame streets and create urban villages. He stated that the vertical mixed use as called for by the Plan would create a distinct center for the Plan Area. The Chairman also expressed concern about the reduction in potential residential units, and whether or not a horizontal mixed use approach to this site's development would be within the scope of the certified EIR for the Specific Plan. He concluded by stating that he felt the proposal was not consistent with the General Plan, the Specific Plan, and CEQA.

- Commissioner Minasian inquired as to the status of the attendant applications should the Commission not recommend approval of the Specific Plan, and whether there might be a middle road to take with regard their review in that scenario.
- Assistant City Attorney Wilson stated his opinion that the Specific Plan requires vertical mixed use, and that the related entitlements must be denied if the Plan is not amended.
- Commissioner Kelley expressed his view that the project does not go far enough to provide the distinct center called for by the Specific Plan, and that it was not consistent with the intent of the Plan.
- Commissioner Merz indicated that he felt the design of the project was good, but that this was just not the right location for it. He also stated that he felt this was the opportunity to give the neighborhood a “heart”.
- Commissioner Minasian stated that she was not in support of the amendment.
- Commissioner Barrett indicated that she would support the amendment, as she believed vertical mixed use to be an inappropriate design for this location.

Chair Luvaas requested that the three actions before the Commission be handled individually and asked for a separate motion and vote on each proposed action. First to be addressed is the proposed amendment to the Northwest Chico Specific Plan (NWCSP).

It was motioned (Minasian) and seconded (Merz) that the Planning Commission recommend that the City Council not amend the language in the NWCSP as set forth in Section E.1. of Resolution No. 08-14.

Vote: 5-1-1 (Barrett opposed; Hayes absent)

After further discussion with staff, including legal counsel, there was general agreement amongst the Commissioners that the Commission should recommend Council denial of the entire project, because the entire project is dependent upon the requested language change to the NWCSP, and the project is inconsistent with the NWCSP as it currently reads. The Commission made it clear that it did not review the subordinate project entitlements on this basis. It was clarified for the Commission by staff that the City Council, should it not agree with the Commission’s recommendation, would be in a position to approve all components of the project.

It was motioned (Minasian) and seconded (Kelley) that the Planning Commission recommend City Council denial of the project, finding that the project is dependent upon the requested language change in the NWCSP, which change the Commission does not recommend.

Vote: 5-1-1 (Barrett opposed; Hayes absent)

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - There were no members of the public wishing to address the Commission regarding matters not appearing on the posted agenda. Commissioner Merz stated he would like to receive more updates on various projects and specifically, the East 8th Street project. It was mentioned that receiving larger aerial maps for projects is helpful.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.
 - 7.2 **Ad-Hoc Tree Preservation Committee** - Commissioner Merz provided a report on the June 9, 2008 meeting of the Tree Preservation Committee.
 - 7.3 **Sustainability Task Force** - Chair Luvaas provided a report on the June 16, 2008 meeting of the Sustainability Task Force.
 - 7.4 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 9:34 p.m. to the Joint Study Session of Chico City Council and Planning Commission at 6:30 p.m. on July 15, 2008.

November 6, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of

July 3, 2008 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the July 3, 2008 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, July 17, 2008 for an adjourned regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: June 27, 2008

Distribution:

Council (7)
City Manager
City Clerk
PSD Peterson
ACA Wilson
SDE Johnson
PLD Staff

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — July 15, 2008
Minutes

- 1.1. **CLOSED SESSION** - 5:30 p.m. - see page 9
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order – Mayor Holcombe called the July 15, 2008 – Adjourned Regular Chico City Council Meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street at 6:30 p.m.
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Dave Osborne, Chico Seventh-day Adventist Church
- 1.6. Roll Call

City Council

Present: Bertagna, Flynn, Gruendl, Nickell, Wahl, Schwab, Holcombe

Absent: None

Planning Commission

Present: Barrett, Kelley, Merz, Minasian, Luvaas

Absent: Brownell

- 1.7. Closed Session Announcement – None
- 1.8. Presentation – Certificate of Appreciation for Jesse Smyth, retiring Field Supervisor, for 29 years of City service.

JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC FORUM

1.9. **GENERAL PLAN UPDATE - *Market Opportunities & Land Absorption Projections Report***

At this meeting, the City Council and Planning Commission met in joint session to discuss key issues regarding the General Plan update and to receive public comment on the significant planning efforts to date. ***(Report - Holly Keeler, Principal Planner and Brendan Vieg, Senior Planner)***

This workshop covered an overview of the *Market Opportunity and Land Absorption Projections Report* prepared by Bay Area Economics, the City's economic consultants and provided an opportunity for the public to address this critical component of the General Plan update.

This report included:

- Assessment of current market conditions to help set the context for the land use projections for the General Plan Update;
- Retail leakage analysis to assess the extent to which there are current opportunities to expand the local retail base;
- Absorption projections for the City's major land use sectors, including residential, office, retail, and industrial based on the findings contained in the first two sections of the report and after analysis of population and employment projects; and an
- Assessment of market opportunities for the Downtown area.

—————●●●●—————

The meeting was recessed at 8:10 p.m. for a ten-minute break. The meeting was reconvened and all members of the Council and Planning Commission were present.

—————●●●●—————

Joint Meeting Comments:

Planning Commissioner Merz stated that this was the third joint session meeting and he was concerned that we are taking too small a bite of the apple which actually poses more questions than answers. Economic discussions need to be more broad based, and include the water, density and mixed use issues. He added, this is a 22 year plan; there are ups and downs of the economy we have to make certain assumptions of what is going to happen over time in terms of what the economy does; so he is frankly not concerned over what is happening right now in terms of the turn around in Sacramento because ten years from now it could be in a totally different place, as Chico may be. Commissioner Merz thinks we should be talking about where we want to be as a community from a sustainability standpoint and keeping the big picture in mind.

Planning Commissioner Minasian felt that the report represented more of the real estate industry and not the overall community needs and thought that the report was solely from their point of view. She urged Council and the Planning Commission to look at a broader picture... not just what is there for the real estate industry.

Planning Commissioner Chair Luvaas indicated that the concerns that both John and Susan raised were his as well. He was very concerned about the scope of the report. The report is more a rearview mirror approach and is great as far as it goes but how can we look at the future if we are looking back? We can't do this when we know that not only great economic changes are happening but that we are going to be facing some potentially devastating changes with additional impending regulations from the federal and state government. All of this needs to be part of the discussion. We know from the polling and the real estate industry that the preference is single family dwellings but we also know from reality that only 38 percent of the middle class can even afford the kind of houses that are being built, the rest of the people aren't even in the market. But the source of information about Chico is too narrow as well as extremely shortsighted. We should be looking at economics, water availability, resources and a whole lot of other things and he would be glad to submit to the consultants a list that discusses these issues. He indicated that he was not prepared to begin to make decisions on areas where the City should grow and how it should grow.

Planning Commissioner Hayes felt a little bit short in terms of the information. He was nervous about using historical trend data for the development of policies affecting generations down the road. He felt that transit issues were important as we look at how we move people around the community. He hoped the conversation regarding the providing of land for where the City would grow would be coming and he recognized that the land use facilities gets wrapped into policies.

Councilmember Gruendl appreciated the challenge of reading the document. One thing that struck him was determining what future demographic information to use... recognizing that we had to figure out where we have been in order to determine where we need to go. One area that hasn't been discussed is business leakage and the types of retail that we should look at to be competitive within the County.

Councilmember Flynn appreciated everyone's comments. Her concern was about having adequate time to ask those questions, get the answers, refine the questions, and then get more answers. She felt there was too much to do in such a short time frame. It is important that we reassure people that we are recognizing that people have questions. Part of good government and planning is good process. Perhaps we will need more time in order to have quality discussions. This is our future that we are talking about.

Mayor Holcombe indicated that that is why tonight's meeting was considered a forum where there would be public comment and debate.

Cheryl King stated that she felt that the report is very biased. She also didn't feel that the demographic information was adequate and would provide staff with a list of other data sources.

Alan Gair stated that just because a consultant says Chico will grow does not mean that it will happen. He suggested that the process take on some humility on forecasts. California is full of ghost towns and they were all based on marvelous times, gold fever, etc. However, there are changing demographics; building costs are high; financing is hard to get, and it will be hard to insulate the building community from those impacts. People can't afford the houses that are being built which means that we need to look at fundamental changes.

Mike Trolinder asked for additional information regarding the number of parking spaces needed in the downtown area. He mentioned that the parking charette established one number but how was that taken into account in the downtown element of the proposed General Plan. He also asked if it could be addressed if those parking spots weren't able to be created.

Jason Bougie commented that painting a national level picture will fail the City of Chico. Chico is unique. The idea of smaller units and smaller families is wrong. The land use alternatives should be flexible. He also asked that Table 7 regarding gross and net acres needs additional clarification. It needs to be specific. Gross acreage is the only thing on the maps. He also felt that the City should not ignore citizen's wants and desires which happens to be single family homes. He also felt that it was somewhat contradictory to say that we want to be a sales tax hubb but that due to transportation issues, we want to build things where every body walks.

Bill Brouhard stated that he was offended by Planning Commissioner Minasin's comments regarding the report benefitting only the development and real estate groups. The City's consultant asked for participation from these various groups and he felt that it was insulting to have a commissioner then malign the people who volunteered their time to participate in the process.

Jann Redd was concerned over the name of the consultant which is "Bay Area Economics." She felt that no one wanted the City to become like the Bay Area. She felt that we should be looking at areas that are larger than Chico such as Sacramento, which has focused on infill projects such as lofts. Her other concern is that she has attended one or two of these General Plan meetings and nothing has been discussed about schools and how to incorporate them into the new General Plan. She hopes that a real conversation will take place regarding this issue.

Karen Laslo expressed her concern over the current economic situation where banks are closing and gas and energy costs keep going up. She believes that there is a serious economic problem in the country. She felt that the report was skewed in the favor of developers and real estate people and in fact because of that, hadn't thought she could speak on this subject because she felt the meeting was just centered around them.

Casey Merrill discussed her concerns over transportation issues and patterns. She felt that in order to keep up the quality of living in the urban core, alternative transportation should be considered. She applauded the efforts of the City heading in that direction.

Tom Lando stated that he felt the report did what it was asked to do and the consultant did a good job in terms of providing numbers. The policy will form how it is implemented. He thought it was unfortunate and maybe in the second draft, the observations can be moved to a different section of the report. Obviously there are a series of observations that have to be made. There are also other legal requirements such as the Housing Element that will indicate some numbers that have to be included but that are hard to track. Everybody here wants a livable community. One of the nice things about Chico is that those who build in this community live in the community. He thought that in order to get to a General Plan that we all want, it was going to take a more interactive process and agreed with some of the commission comments and some of the other comments that Council heard. He thought it was very hard to have an interactive work session in this format. He suggested that the GPAC is being under-utilized in terms of sifting through this information and trying to have some of this discussion before it gets to this level.

Kirk Monfort felt that the report was pretty good given what it was supposed to be and he thought Matt Kowta made it very clear on what it was supposed to provide. Information was included that the future was probably not going to be like the past and where it really showed up was in the remarks about the gas stations. Mr. Kowta noted that the energy costs are going up rapidly and that was reflected in the conversation which ended up being one of the reasons that our housing market stays in relatively good shape relative to surrounding communities due to higher commuter costs. It is pretty clear that you can't project us into the future by keeping it the way it currently is in this community. He again stressed that he felt it was a good report.

Alan Gair again addressed Council and expressed concern over the fact that Jason Bougie feels that he knows what people want in this community. No one knows someone's intention until they actually sign on the line for a home. Mr. Gair felt that we should be a bit more modest and a bit more flexible about providing opportunities to people who have not yet gotten together their vast wealth that is required to build a house. The City should do all that it can to help them do this as there is no help from the State.

Jason Bougie addressed the methodology of the rearview mirror discussion. He reminded Council that the current General Plan prescription of single family units needed is divided by the density of 7.

Mayor Holcombe indicated that while that is the current General Plan policy, the report said if those numbers are used in the future it would not produce the homes that we need in the future.

Jason Bougie reiterated that the current General Plan designation for single family dwellings is divided by what we need to get the acreage and it has nothing to do with the rear view mirror approach.

Cheryl King addressed the Council again to express her concern over the short time frame for this process. She also felt that the University should be in the process and conversations should be occurring before decisions are made on the final plan. She also stated that the City of Chico does not have to grow by 2%... that the community gets to make that choice.

Chris Giampoli expressed his support for the report and thought it covered what the people who build, develop and live here need. He wanted to make it clear that the market drives what happens with land use alternatives and the developers will be changing to reflect those needs. We now have solar options for homes and offer it all the time. This was something that never use to be considered. Everything is changing and it is market driven. By not allowing enough land available to grow on, you are going to drive people out to Orland, Gridley and then to Oroville. And, guess what they will do then? They will drive to Chico and for sustainability issues, that is not the right thing to do.



The Joint Session was ended and the next joint session is scheduled for August 5, 2008.



2. **CONSENT AGENDA** – A motion was made by Councilmember Flynn and seconded by Vice Mayor Schwab to approve the following Consent Agenda items:

2.1. **ORDINANCE NO. 2378 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING TITLE 19 OF THE CHICO MUNICIPAL CODE TO INCREASE THE MINIMUM DENSITY IN THE R2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT** - Final Reading and Adoption

Adopted - an ordinance increasing the minimum density in the R2 zoning district from the current 5.5 units per gross acre to 7.01 units per gross acre. The amendment to R2 minimum density has no physical impact on the environment which was not contemplated with the Environmental Impact Report for the 1994 City of Chico General Plan; therefore, no further environmental review is required. The ordinance was introduced by the City Council at a noticed public hearing on 6/17/08. ***The Planning Services Director recommended adoption of the ordinance by reading the title only.***

2.2. **CONFIRMATION OF APPOINTMENT OF FIRE CHIEF**

Confirmed - appointment of James Beery as Fire Chief effective 7/21/08. ***The City Manager recommended confirmation of the appointment.***



The motion to approve the Consent Agenda, as read, carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

3. **NOTICED PUBLIC HEARINGS**

3.1. **ACCEPTANCE OF 2008 LOT CLEARING/WEED ABATEMENT COST REPORT**

At its 4/15/08 meeting, the City Council adopted Resolution No. 32-08 which required the Housing and Neighborhood Services Department to abate those properties not in compliance as of 5/30/08, and to keep an account of the work done by the City contractor to submit to the Council for confirmation. Staff is submitting the cost report for the 2008 Weed Abatement and Lot Clearing program and, if accepted by the Council, the owners of the parcels will be given 30 days to pay for the cost of the abatement or will be subject to a lien placed on their property. **(Report - Scott Armstrong, Code Enforcement Supervisor)**

Mayor Holcombe opened the hearing to the public. No one spoke and the hearing was closed to further public comment.

A motion was made by Councilmember Bertagna and seconded by Vice Mayor Schwab to accept the cost report as submitted.

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe

NOES: None

Councilmember Flynn asked staff if some property owners opt to have the City clear the lots as opposed to themselves hiring someone to do the lot cleaning. If the City's costs to do so are less than what a private service provider would be, she suggested that the City look at the establishment of harsher fines for individuals who do not clear their lots. It was noted by staff that the number of property owners not in compliance has gone down since the costs to have the City clear the property has increased substantially from prior years.

3.2. **HEARING ORDERING ABANDONMENT AND VACATION OF A PORTION OF CHERRY STREET BETWEEN WEST FIRST AND WEST SECOND STREETS - CSU CHICO**

The State of California and The Trustees of the California State University petitioned the City of Chico to abandon a portion of Cherry Street between West First and West Second Streets to allow for future bicycle parking at the CSU Chico Wildcat Activity Center. The abandonment of the portion of public right of way will not result in a loss of parking as the previous unrestricted motorcycle parking will remain adjacent to the proposed bicycle parking. The two displaced vehicle parking spaces will be accomplished by creating two new spaces with the Orange Street improvements. At its meeting of 6/17/08, Council adopted Resolution No. 45-08, stating its intent to abandon the portion of Cherry Street, and set the public hearing for this meeting. **(Report - Fritz McKinley, Building & Development Services Director)**

Councilmember Flynn and Vice Mayor Schwab were disqualified due to the involvement of their employer in this matter.

Mayor Holcombe opened the hearing to the public. Addressing the Council in opposition to the abandonment were Charlie Preusser, Nancy Ostrom, Jann Reed, and Michael Reilley. Addressing the Council in support was CSUC representative Glenda Morse.

Councilmember Nickell indicated that he wanted to see a "fair share" agreement prior to approving the abandonment.

A motion was made by Councilmember Bertagna and seconded by Councilmember Gruendl to adopt the following resolution which orders the abandonment and directed staff to immediately begin work on the development of a "fair share" agreement between the City and CSUC.

RESOLUTION NO. 55-08 – A RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO ORDERING ABANDONMENT AND VACATION OF A PORTION OF A PUBLIC STREET PURSUANT TO THE PUBLIC STREETS, HIGHWAYS AND SERVICE EASEMENTS VACATION LAW (CHERRY STREET BETWEEN WEST FIRST AND WEST SECOND STREETS - CSU CHICO)

The motion carried by the following vote:

AYES: Bertagna, Gruendl, Wahl, Holcombe
NOES: Nickell
DISQ: Flynn, Schwab

4. **REGULAR AGENDA**

4.1. **CONSIDERATION OF INTERNAL AFFAIRS COMMITTEE AND STAFF RECOMMENDATIONS ON THE DOWNTOWN ACCESS AND PARKING PLAN AND ADOPTION OF FEE SCHEDULE RESOLUTION**

The Internal Affairs Committee responded to community concerns regarding diagonal parking and privatized parking enforcement for Downtown Chico. In addition, staff has continued its implementation of the Downtown Access and Parking Plan. Council was updated on the Plan's status, requested to affirm certain actions, and requested to adopt a fee schedule resolution increasing parking fines, and penalties for failure to pay fines. **(Report - Tom Varga, Capital Project Services Director)**

Vice-Mayor Schwab was disqualified on this item due to her business interest downtown. Councilmember Wahl was disqualified due to owning property downtown.

Addressing the Council regarding this item were Cheryl King, Charlie Preusser, Russell Mills, Michael Reilley, Katrina Davis Woodcox, Dale Bennett, Michael Worley, Ray Murdoch, and Mike Trolinder. The Council was also provided with written materials from William A. Sheridan, Board Chairperson, ACLU of Northern California Chico Chapter; Russell Mills, Director, Chico Velo Cycling Club; and Alan Chamberlain.

A motion was made by Councilmember Bertagna and seconded by Councilmember Nickell to: (1) accept the following recommendations as amended:

- A. Salem Street between 2nd and 5th Streets with the Class II bike lane to remain as is;
- B. Diagonal parking along the west side of Normal Avenue between 2nd and 5th Streets;
- C. Diagonal parking along the west side of Chestnut Street between 3rd and 5th Streets and keep parking meters for all parking spaces between 3rd and 4th Streets;
- D. Diagonal parking along the east side of Hazel Street between 3rd and 5th Streets with no parking meters; and
- E. Implementation of the Downtown Business Association Report "A Walkable Downtown."

(2) affirm the items listed as "immediate action" in the Decision Matrix attached to the agenda report; (3) develop a traffic model reflecting a functional two lane design package for Broadway and Main Streets which includes the creation of diagonal parking spaces and addresses loading and unloading zones. The traffic model is to be presented to the Internal Affairs Committee in October and brought back immediately to the Council for final action; (4) direct the Engineering Department to work with the Finance Director on the possibility of retiring the bonds and once analyzed, to bring that information back to Council; and (5) adopt the following resolution regarding parking penalties:

RESOLUTION NO. 56-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE CITY'S FEE SCHEDULE (AMENDMENT NO. 313 PENALTIES FOR PARKING VIOLATIONS)

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Holcombe
NOES: None
DISQ: Schwab, Wahl

4.2. **DESIGNATION OF CITY COUNCIL VOTING DELEGATE AND ALTERNATE TO REPRESENT THE CITY AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE SEPTEMBER 2008**

The League of California Cities requested that the Council designate a voting representative and up to two alternates who will be registered at the League Annual Conference and present at the annual business meeting on Saturday morning, 9/27/08. The conference will be held 9/24/08 through 9/27/08 in Long Beach.

The Council concurred (7-0) that Councilmember Nickell would be the representative and attend if the funding was available and that the Administrative Services Director be designated as an alternate.

4.3. **ACCEPTANCE OF INTERNAL AFFAIRS RECOMMENDATION TO ADOPT AN ORDINANCE AUTHORIZING THE DEFERRAL OF DEVELOPMENT IMPACT FEES FOR A TWO-YEAR PERIOD**

At its 7/08/08 meeting, the Internal Affairs Committee considered a request to temporarily defer certain development impact fees, including Transportation Facility Fees, Park Facility Fees and Building and Equipment Fees, until such time as a temporary certificate of occupancy, a certificate of occupancy, final inspection or one year, whichever comes first, has been issued. **(Report - Fritz McKinley, Building & Development Services Director)**

The Internal Affairs Committee recommended (2-0, Bertagna absent) introductory reading of the following ordinance.

A motion was made by Councilmember Flynn and seconded by Vice Mayor Schwab to introduce the following ordinance by reading of title only:

ORDINANCE OF THE COUNCIL OF THE CITY OF CHICO ADDING SECTION 3.85.135 TO CHAPTER 3.85 AND SECTION 15.36.037 TO CHAPTER 15.36 OF THE OF THE CHICO MUNICIPAL CODE REGARDING THE TEMPORARY DEFERRAL OF DEVELOPMENT IMPACT FEES - Introductory Reading

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

4.4. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA – None**

5. **BUSINESS FROM THE FLOOR**

Michael Reilly addressed the Council again about Item 3.2. the Cherry Street abandonment.

6. **ADJOURNMENT**

Adjourned to a Redevelopment Agency meeting in the Council Chamber.

Date Approved: August 5, 2008

Deborah R. Presson, Agency Secretary

ADJOURNED REGULAR CHICO REDEVELOPMENT AGENCY MEETING — July 15, 2008

Minutes

1. **CALL TO ORDER** – Chair Holcombe called the July 15, 2008 – Adjourned Regular Chico Redevelopment Agency meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street.
- 1.1. Roll Call
2. **CONSENT AGENDA**
3. **NOTICED PUBLIC HEARINGS**
4. **REGULAR AGENDA**

To consider Item 4.1., the Chico Redevelopment Agency convened as both the Chico Redevelopment Agency and the City Council.

4.1. **CONSIDERATION OF RESOLUTIONS REGARDING FOGARTY V. CITY OF CHICO LITIGATION**

The following resolutions were presented for adoption to settle the Fogarty v. City of Chico litigation. (**Report - Alicia Rock, Assistant City Attorney/Assistant Agency Counsel**) The Council was provided with written comments from Quentin Colgan and Jack Danielson.

A motion was made by Vice Mayor/Vice Chair Schwab and seconded by Councilmember/Boardmember Flynn to adopt the following resolutions:

RESOLUTION NO. 57-08 – A RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO (1) APPROVING A SETTLEMENT AGREEMENT IN FOGARTY V. CITY OF CHICO AND APPROPRIATING FUNDS FOR PAYMENT OBLIGATIONS; AND (2) CONSENTING TO THE CHICO REDEVELOPMENT AGENCY APPROPRIATING FUNDS FOR PUBLIC IMPROVEMENTS FOR THE OAK VALLEY SUBDIVISION AND THE ACQUISITION OF LAND - City Council Action

RDA RESOLUTION NO. 08-08 – A RESOLUTION OF THE CHICO REDEVELOPMENT AGENCY (1) APPROVING A SETTLEMENT AGREEMENT IN FOGARTY ET AL V. CITY OF CHICO; (2) APPROPRIATING FUNDS FOR PUBLIC IMPROVEMENTS FOR THE OAK VALLEY SUBDIVISION; AND (3) APPROVING THE ACQUISITION OF LAND - Redevelopment Agency Action

The motion carried by the following vote:

AYES: Flynn, Gruendl, Nickell, Schwab, Holcombe
NOES: None
ABSTAIN: Bertagna, Wahl

4.2. **ITEMS ADDED AFTER POSTING OF THE AGENDA** – None

5. **ADJOURNMENT**

Adjourned at 11:10 p.m. to August 5, 2008 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by an adjourned regular meeting in the Council Chamber at 6:30 p.m.

◆◆◆◆◆

Date Approved: August 5, 2008

Deborah R. Presson, Agency Secretary

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING – July 15, 2008

CLOSED SESSION

Minutes

1. **CALL TO ORDER** – Mayor Holcombe called the July 15, 2008 Closed Session to order in the Chico Municipal Center, Conference Room #2, 421 Main Street at 5:30 p.m.

- 1.1. Roll Call

Present: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe

Absent: None

Staff Present: City Manager Burkland, Assistant City Manager Beardsley, City Clerk Presson, Assistant City Attorney Rock, and Mac Goldsberry, Attorney, Interim Human Resources Director Campbell

2. **CLOSED SESSION MATTERS**

- 2.1. **CONFERENCE WITH LEGAL COUNSEL AND RISK MANAGER — EXISTING LITIGATION:** The City Attorney and Risk Manager reviewed settlement of the workers compensation claim of Matt Wolfe. (Gov. Code Sec. 54956.9(a).)

- 2.2. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney reviewed the following case: *Thomas V. Fogarty, et al. v. City of Chico, et al.*, U.S. District Court, Eastern District, Case No. 2:06-CV-01007-JAM-GGH, pursuant to subdivision (a) of Government Code section 54956.9.

- 2.3. **CONFERENCE WITH LABOR NEGOTIATOR**

(Gov. Code Sec. 54957.6.)

Negotiator: Dave Burkland, City Manager and Teresa Campbell, Interim Director of Human Resources

Employee Organizations: Management Employees, Confidential Employees, Public Safety Management Employees, Chico Police Officers' Association, Chico Public Safety Association, International Association of Firefighters, Service Employees International Union (Trades and Crafts Unit and Clerical, Technical and Professional Unit).



3. **ADJOURNMENT**

Adjourned at 6:30 p.m. to Regular Session.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
JULY 17, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett (arrived at 6:38 p.m.)
Tom Hayes
John Merz
Susan Minasian

Commissioners Absent: Mary Brownell

Staff Members Present: Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Kelley: Spoke with Steve Schuster and Don Scott regarding Tuscan Village.

Merz: Spoke with Susan Mason regarding the Orr/McCrady parcel map.

Minasian: Spoke with Steve Schuster and Don Scott regarding Tuscan Village.

Luvaas: Spoke with Rupert McDowell regarding Tuscan Village.

3. CONSENT AGENDA - There were no items for this Agenda.

4. PUBLIC HEARING ITEMS

4.1 Parcel Map 08-01 (Orr/McCrady) 488 E. 3rd Street, APNs 004-094-017 and -018
(Noticed 07-05-08) - A request to subdivide a 1.17-acre site into four lots for single-family residential development. Two of the lots will be flag lots. The site is designated Low Density Residential on the City of Chico General Plan Diagram, and is located in an R1 Low Density Residential zoning district. The project is categorically exempt from environmental review

pursuant to Sections 15315 and 15332 of the California Environmental Quality Act (CEQA) Guidelines (Minor Land Divisions and Infill Development Projects). ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-16, approving the Orr/McCrady Vesting Tentative Parcel Map (PM 08-01).***

Associate Planner Greg Redeker presented the staff report. Let the record show that Commissioner Barrett arrived at 6:38 p.m.

Chair Luvaas asked Assistant City Attorney (ACA) Wilson to provide a legal opinion on the appropriateness of requesting the property owner to provide an easement for installation of a bike path. ACA Wilson stated his opinion that the impacts of this application (a parcel map) did not justify requiring the bike path.

Chair Luvaas opened the public hearing at 6:46 p.m. Addressing the Commission were:

- **Pat Orr**, Applicant, spoke in favor and answered questions with respect to permits for grading and removal of dry rot and pre-application removal of trees
- **Kirk Monfort**, citizen, spoke in favor of obtaining an easement for installation of a bike path
- **Russ Mills**, citizen and member of Bike Advisory Committee, spoke in favor of the bike path
- **Tom Mount**, citizen and neighbor at 560 E. 3rd Street, expressed opposition to the bike path and spoke in favor of a single-story home on Parcel 2
- **Mike Trolinder**, citizen, expressed concern that both front and back of buildings have integrity of architecture due to the project's visibility from Annie's Glen/Bidwell Park

There being no further speakers, the public hearing was closed at 7:01 p.m.

Commissioner Merz requested to hear from Planning Staff regarding permits for removal of a back porch on an existing building, an alleged code violation for grading and removal of some trees on the property.

Associate Planner Redeker advised that there is a valid permit for the removal of dry rot and window replacement, and that removal of trees occurred prior to submission of the map application and therefore, was not subject to the tree ordinance. Regarding grading, it was on the borderline and Code Enforcement investigated to determine if any violations had occurred. Staff will research the result of that investigation and report back.

Two suggested conditions of approval were mentioned:

1. To reduce access driveway impacts to both the hackberry and large elms, pavers shall be utilized so the surface remains pervious; and,

2. Language in Exhibit I, Conditions of Approval, Section 9.D. shall be amended to replace the reference to “adjacent shrubs” with “native plants.”

It was motioned (Merz) and seconded (Barrett) that no action be taken on this item until status of the code enforcement issue is known and that the item be continued to the Regular Meeting of August 7, 2008.

Commissioner Minasian requested the motion on the floor be amended to defer the item to the Adjourned Regular Meeting of August 21, 2008 as she will be unable to attend the Regular Meeting of August 7, 2008. The amendment to the motion was accepted by the Commission.

Motion passed by a vote of 4-2-1 (Hayes, Kelley opposed; Brownell absent)

- 4.2 **Tuscan Village Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 08-04) (Schuster and Scott), south side of Eaton Road, between Morseman and Burnap Avenues, APN 007-190-022** (Noticed 07-05-08) - A proposed subdivision and planned development permit for the development of a 155-unit residential project with associated common area improvements on a 18.3-acre site. The project consists of a mix of two-story attached single-family residences, multifamily units, and accessory dwelling units. The proposed project is within the scope of a previously adopted Mitigated Negative Declaration, and no further environmental review is required. *Planning staff recommends that the Planning Commission adopt Resolution No. 08-15, approving the Tuscan Village Tentative Subdivision Map and Planned Development Permit.*

Commissioner Barrett informed the group of her ex parte communication with Steve Schuster and Don Scott regarding the Tuscan Village project. Principal Planner Mark Wolfe presented the staff report. Chair Luvaas opened the public hearing at 7:38 p.m. Addressing the Commission in the following order were:

- **Steve Schuster**, co-applicant, spoke in favor
- **Lynne Bellante**, citizen, expressed satisfaction with project changes
- **Bill Elliot**, citizen, spoke in favor
- **Hannah Williamson**, citizen, spoke in favor
- **Don Scott**, co-applicant, responded to tree-planting questions
- **Nancy Curtis**, neighbor on Morseman, spoke in favor of density reduction

There being no further speakers, the public hearing was closed at 8:15 p.m. A brief discussion of traffic/street improvements ensued.

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:30 p.m. Commissioners and staff were present as noted.

It was motioned (Kelley) and seconded (Barrett) that the Planning Commission adopt Resolution No. 08-15, approving the Tuscan Village Tentative Subdivision Map and Planned Development Permit.

The motion was amended to include the following additional conditions of approval:

- 1. Exhibit 1, Conditions of Approval, Section 5 is amended to read: "...If the developer is to construct improvements within the proposed Eaton Road right of way, the Improvement Plans shall include a report from a Certified Arborist assessing the feasibility of retaining any existing healthy oak trees..."*
- 2. Exhibit 1, Conditions of Approval, Section 18 is amended to read: "...Units in lots along Eaton ~~shoudl~~ **shall** have the minimum amount of window areas facing Eaton Road allowed by the City. Walls facing the road in these units ~~shoudl~~ **shall** have a minimum of R13 wall insulation."*
- 3. Exhibit 1, Conditions of Approval, Section 21.b. is amended to read: "...All parking areas shall meet ~~typical~~ parking lot shading requirements of the City.."*
- 4. Exhibit 1, Conditions of Approval, Section 21 shall include a new subsection "h." that reads as follows: "Native plants shall be allowed to regenerate and there shall be additional plantings of native valley oaks, using seed stock from this region, with plantings within the design for optimum use of space."*
- 5. Exhibit 1, Conditions of Approval, Section 30 shall be amended to read: "The project developer shall hire a qualified biologist or ornithologist to conduct a preconstruction field survey in and adjacent to the project for nesting raptors **and migratory birds** prior to the removal of any tree...If no raptor **or migratory bird** nests are found during the surveys, grading may proceed."*
- 6. The City's arborist shall be involved regarding saving the two 14" diameter trees and the entire width of Morseman shall be narrowed from 20 feet to 18 feet.*
- 7. The requirement for dumpsters is eliminated.*
- 8. A provision for children in the central common area landscape plans is encouraged.*

REGULAR CHICO CITY COUNCIL MEETING — August 5, 2008

- 1.1. **CLOSED SESSION** - 6:00 p.m. - see page 6
- 1.2. **REGULAR CITY COUNCIL MEETING** - 6:30 p.m.
- 1.3. Call to Order – Mayor Holcombe called the August 5, 2008 - Regular Chico City Council Meeting to order in the Chico Municipal Center, Council Chamber, 421 Main Street at 6:40 p.m.
- 1.4. Flag Salute
- 1.5. Invocation — Pastor David Leeper Moss, Trinity United Methodist Church
- 1.6. Roll Call

City Council

Present: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
Absent: None

Planning Commission

Present: Barrett, Brownell, Hayes, Kelley, Merz, Minasian, Luvaas
Absent: None

- 1.7. Closed Session Announcement – None
- 1.8. Proclamation — Proclaiming August 6-9, 2008 as “Hiroshima-Nagasaki Remembrance Day”
- 1.9. Proclamation — Commemorating the signing of the “Memorandum of Understanding” between the City and the Mechoopda Indian Tribe of Chico Rancheria

JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC FORUM

1.9. GENERAL PLAN UPDATE – *Chico 2030 Draft Land Use Alternatives Presentation*

At this meeting, the City Council and Planning Commission met in joint session to discuss key issues regarding the General Plan update and to receive public comment on the discussion of Land Use Alternatives. An overview of three draft Land Use Alternatives and proposed new land use designations was presented. The Land Use Alternatives illustrates different development patterns that were formed by significant community input. The intent was to identify the probable range of choices that have broad community support. Components in the Land Use Alternatives are interchangeable - combinations, modifications, and new options were invited.

No formal action was required at this joint study session with the information provided in preparation for the upcoming action on selection of a preferred Land Use Alternative by the Planning Commission and City Council. **(Report - Holly Keeler, Principal Planner and Pam Johns, PMC - Project Manager)**

The Council recessed for a ten minute break at 7:50 p.m. The meeting was reconvened and all members of both the City Council and Planning Commission were present.

Letters and emails from Alan Gair, Dan Cummings, Bill Webb, Evelyn Liptrap and a General Plan "Constraints Map" were provided to the Council and Planning Commission.

Mayor Holcombe opened the item for public input. Addressing the members of the City Council and Planning Commission were Bob Kromer, Tom Lando, Alan Gair, Hannah Williamson, Cheryl King, Elizabeth Devereaux, Barbara Vlamis, Jason Bougie, Nancy Ostrom, Pete Giampaoli, Chris Giampaoli, Holli Anderson, Richard Harriman, Geoff Lane, Duke Warren, Craig Sanders, Jane Dolan, Grace Marvin, Bill Webb, Bill Brouhard, Jeff Farrar, Lee Callandor, Ken Fleming, Ernie Washington and Mark Stefan.

This item was agendaized for an update to the Council and Planning Commission and as a forum for the public to provide input to the governing bodies. No action was required. The Consultants indicated that the comments received at this meeting would be used while preparing the final Land Use Alternatives to be formally presented to the Planning Commission for selection of a preferred land use alternative. Once the Planning Commission has acted, the selection will be presented to the City Council for final approval.

2. **CONSENT AGENDA** – A motion was made by Vice Mayor Schwab and seconded by Councilmember Nickell to approve the following Consent Agenda items:

2.1. **ORDINANCE NO. 2379 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF CHICO ADDING SECTION 3.85.135 TO CHAPTER 3.85 AND SECTION 15.36.037 TO CHAPTER 15.36 OF THE CHICO MUNICIPAL CODE REGARDING THE TEMPORARY DEFERRAL OF DEVELOPMENT IMPACT FEES** - Final Reading and Adoption, by reading of title only.

Adopted - an ordinance to add Sections 3.85.135 and 15.36.037 to the Chico Municipal Code which authorized the temporary deferral of development impact fees, until the issuance of a temporary certificate of occupancy, a certificate of occupancy, final inspection, or one year, whichever comes first and **adopted** - a resolution amending Fee Schedules 50.010, 50.030, 50.040, 50.050 and 50.060 to be consistent with the fee deferral changes set forth in the ordinance. The ordinance was introduced by the Council at its meeting of 7/15/08. ***The Internal Affairs Committee recommended adoption of the ordinance by reading of the title only, the Building & Development Services Director recommended adoption of the resolution.***

RESOLUTION NO. 58-08 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE CITY'S FEE SCHEDULE (AMENDMENT NO. 314 - TRANSPORTATION FACILITY FEES, PARK FACILITY FEES, BUILDING AND EQUIPMENT FEES, SEWER FEES AND SEWER LIFT STATION CAPACITY FEES)

2.2. **ACCEPTANCE OF ANNUAL REPORT OF LOST, STOLEN OR UNCLAIMED PROPERTY FOR FISCAL YEAR 2007-08**

Accepted - the annual report for Fiscal Year 2007-08 showing the disposition of all lost, stolen or unclaimed property during the preceding fiscal year as required by Section 3.28.130 of the Chico Municipal Code. ***The Finance Director recommended acceptance of the report.***

2.3. **APPROVAL OF MINUTES OF CITY COUNCIL MEETINGS**

Approved – minutes of the City Council meetings held on 6/03/08 - as amended , 6/17/08, 7/01/08, and 7/15/08.

4.4 CONSIDERATION OF INTERNAL AFFAIRS COMMITTEE RECOMMENDATION ON THE CITY'S FLAG POLICY - as amended

At its 3/04/08 meeting, the City Council tabled the consideration of the recommendations of the Internal Affairs Committee (3-0) to: (1) maintain the limited public forum that was opened by allowing the City of Flags Committee to fly U.S. flags on City light poles; and (2) approve the terms and conditions to be included in a new flag policy. In addition to the agenda report, the City Council was provided with copies of all correspondence received prior to preparation of this agenda. *(Report - Cindy Pierce, Administrative Services Director)*

Addressing the Council in support of the City taking over the flying of the American Flag were Sally Smith, Terry Horne, Jackie Santos, Ed Regan, Rob Ramay, Robert Roberts, Lloyd Scott, and Lt. Col. Boardman C. Reed. The Council was also provided with letters received from Josephine Roberts, Charlotte Roberts, and Betty Schumaeker.

A motion was made by Councilmember Wahl and seconded by Councilmember Bertagna to accept ownership on behalf of the City of Chico of the 379 U.S. Flags, poles, brackets and associated equipment currently owned by the City of Flags Committee. The Flag Committee will continue to store, replace, maintain and clean the flags for the City. The Committee will also pay for the replacement of the flags, poles and brackets as necessary. The City will install and remove the flags, at no cost to the Committee, for the three times annually agreed upon in December, 2004. The annual schedule includes Memorial Day through Independence Day, Labor Day through the Sept. 11th, and Election Day through Veteran's Day. ~~The flag policy pertaining to the flying of flags other than the American Flag will be addressed at a future meeting.~~

The motion carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Wahl, Schwab, Holcombe
NOES: None

A motion was made by Vice Mayor Schwab and seconded by Councilmember Flynn to allow other organizations to fly their flags at their own costs, based on the number of flags that they choose to fly, with the costs to be determined accordingly to the policy and the fees established by the City which will be prepared for Council approval at a future meeting.

The motion carried by the following vote:

AYES: Flynn, Gruendl, Nickell, Schwab, Holcombe
NOES: Bertagna, Wahl



The motion to approve the Consent Agenda carried by the following vote:

AYES: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
NOES: None

3. **NOTICED PUBLIC HEARINGS** – None
4. **REGULAR AGENDA** – None
5. **BUSINESS FROM THE FLOOR** – None

6. **ADJOURNMENT**

Adjourned at 11:09 p.m. to August 19, 2008 at 6:00 p.m., in Conference Room 2 if a closed session is scheduled, followed by an adjourned regular meeting in the Council Chamber at 6:30 p.m.



Date Approved: October 7, 2008

Deborah Presson, City Clerk

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — August 5, 2008

CLOSED SESSION

Minutes

1. **CALL TO ORDER** – Mayor Holcombe called the August 5, 2008 - Adjourned Regular Chico City Council meeting to order in the Chico Municipal Center, Conference Room #2, 421 Main Street for Closed Session at 6:00 p.m.

1.1. Roll Call

Present: Bertagna, Flynn, Gruendl, Nickell, Schwab, Wahl, Holcombe
Absent: None

Staff Members: City Manager Burkland, Assistant City Manager Beardsley, City Clerk Presson, City Attorney Barker, Interim Human Resources Director Campbell

2. **CLOSED SESSION MATTERS**

ANNOUNCEMENT OF IDENTIFICATION OF NEGOTIATORS, PROPERTIES AND PARTIES WITH WHOM NEGOTIATORS MAY NEGOTIATE IN REGARD TO A CLOSED SESSION ITEM, CONFERENCE WITH REAL PROPERTY NEGOTIATOR

The City Council adjourned to closed session to discuss negotiations with the City's real property negotiator regarding the proposed acquisitions affecting the following:

	<u>Property Owner</u>	<u>Street Address</u>	<u>Assessor's Parcel No.</u>
A.	Sierra Entertainment Group, LLC	2465 Carmichael Drive	005-570-002
B.	McDonald's Corporation	2444 Notre Dame Boulevard	002-190-031
C.	Estate of Margaret Schwab Denton, Diana Schwab Tomseth, and Alan L. Schwab	2420 Notre Dame Boulevard	002-190-037
D.	HLS, a California general partnership	1016 Skyway	002-210-016
E.	Anthony A. Deluca and Heather Deluca	1026 Skyway	002-210-028
F.	Flyers, LLC, a limited liability company	2501 Notre Dame Boulevard	002-210-017
G.	Carwood Skypark LLC	Skyway and Notre Dame Boulevard	002-210-033
H.	Skypark Auto Wash Property, LLC	1020 Skyway	002-210-029

The City's negotiator was City Manager David Burkland and the parties with whom negotiations were proposed to be conducted are the respective property owners (or such persons designated as their agent for the purpose of negotiations).

2.1. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** (Gov. Code §54956.8)

Negotiator: David Burkland, City Manager

Under Negotiation: Price and terms of payment for proposed acquisitions

Negotiating Parties: See above "Announcement of Identification" for a list of property owners or designated negotiator(s)

Staff provided an update on this item. No action was requested.

2.2. **CONFERENCE WITH LABOR NEGOTIATOR** (Gov. Code Sec. 54957.6.)

Negotiator: Dave Burkland, City Manager and Teresa Campbell, Interim Director of HR

Employee Organizations: Management Employees, Confidential Employees, Public Safety Management Employees, Chico Police Officers' Association, Chico Public Safety Association, International Association of Firefighters, Service Employees International Union (Trades and Crafts Unit and Clerical, Technical and Professional Unit).

Staff provided an update on this item. No action was requested.

3. **ADJOURNMENT**

Adjourned at 6:35 p.m. to a City Council meeting in the Council Chamber.

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
AUGUST 7, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett (arrived at 6:38 p.m.)
Mary Brownell
John Merz
Tom Hayes

Commissioners Absent: Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER/ROLL CALL

Chair Luvaas called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted. Chair Luvaas announced that Public Hearing Agenda Item 4.2 (Belvedere Heights) will be continued to the September 4, 2008 Regular Meeting of the Planning Commission.

2. DISCUSSION OF EX PARTE COMMUNICATION

No ex parte communication was reported.

3. CONSENT AGENDA

- 3.1 Minutes** - Adjourned Regular Meeting of December 20, 2007
Minutes - Adjourned Regular Meeting of February 21, 2008
Minutes - Adjourned Regular Meeting of March 20, 2008

It was motioned (Brownell) and seconded (Kelley) to approve the Consent Agenda as presented. Taking into account any voting abstentions, as a result of absence(s) from the meetings in question, final voting on each set of meeting minutes shall be recorded as follows:

Minutes of December 20, 2007

Motion passed by a vote of 5-0-2 (Barrett, Minasian absent)

Minutes of February 21, 2008

Motion passed by a vote of 4-0-2-1 (Barrett, Minasian absent, Merz abstained)

Minutes of March 20, 2008

Motion passed by a vote of 4-0-2-1 (Barrett, Minasian absent, Kelley abstained)

4. PUBLIC HEARING ITEMS

- 4.1 Code Amendment CA 08-01 (City of Chico) Amending Title 19 of the Chico Municipal Code to Allow Advertising on Public Transit Shelters and Benches (Noticed 07-26-08)** - A proposal to amend the Chico Municipal Code (“Signs”) to allow advertising on bus shelters or benches at designated public transit locations. The Planning Commission will make a recommendation to the City Council, which will take final action on the item. This project has been determined to be exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15061(b)(3) (General Rule Exemption). *Planning staff recommends that the Planning Commission adopt Resolution No. 08-17, recommending City Council approval of the code amendment.*

Associate Planner Greg Redeker introduced Management Analyst Linda Herman and representatives from Butte County Association of Governments (BCAG), Mr. Jon Clark and Mr. Jim Peplow. Planning Services recommends approval of the code amendment, but requests that the Planning Commission include supplemental recommendations for Council’s consideration in order to minimize any adverse effects of bus shelter signage on streetscapes. The five (5) supplemental considerations are:

- 1) Prohibit the use of lighting for bus shelter advertising;
- 2) Prohibit bus shelter advertising in residential zoning districts;
- 3) Give the Architectural Review Board an advisory role regarding the design of the bus shelters;
- 4) Limit total advertising sign area on each shelter; and,
- 5) Require compliance with all other applicable City codes.

Let the record show that Commissioner Barrett arrived at 6:38 p.m. BCAG representatives Jon Clark and Jim Peplow responded to questions raised by the Commission. Chair Luvaas opened the public hearing at 7:03 p.m. Addressing the Commission in the following order were:

- **Py Pyshora, citizen**, expressed concern regarding shelter placement and handicap accessibility
- **Jon Clark, BCAG**, responded to a question regarding design and color.

There being no further speakers, the public hearing was closed at 7:05 p.m.

It was motioned (Brownell) and seconded (Hayes) that the Planning Commission adopt Resolution 08-17, recommending City Council adoption of amendments to Chapter 19.74 of Title 19 of the Chico Municipal Code as set forth therein, including Supplemental Recommendations numbered 1 through 5 as identified on Exhibit 2 and summarized by Associate Planner Redeker in the staff report. The Commission modified Recommendation No. 2 to read:

2) Prohibit or limit bus shelter advertising in residential zoning districts.

The Commission added 3 additional Recommendations as follows:

6) Require a short time for graffiti abatement on shelters (such as 24 hours).

7) Require recycling containers at bus shelters.

8) Clarify responsibilities and procedures for construction of bus shelters and transfer of bus shelter ownership for projects which have been approved, but not yet constructed, which are required to construct a bus shelter or turnout as part of the project approval. The intent is to make sure that existing developer obligations continue to be met by the developer, not by BCAG or the sign contractor.

Motion passed by a vote of 6-0-1 (Minasian absent)

- 4.2 Belvedere Heights Development Agreement Amendment (DA 03-02) located at the northeast corner of Bruce Road and East 20th Street/Doe Mill Road, APNs 018-390-045, -046, -047, and -048 (Noticed 07-26-08)** - A request to amend the terms of the Development Agreement to allow for three time extensions to July 2011 for payment of development agreement fees and as a settlement of litigation and reduce the amount of general liability aggregate coverage from \$3 million to \$2 million. *The Planning Services Director recommends that the Planning Commission recommend that the Council: (1) deny the request to defer payment of development agreement fees; and, (2) approve the reduction in the amount of general liability coverage from \$3 million to \$2 million.*

At the request of Staff, this item was continued to the September 4, 2008 Regular Meeting of the Planning Commission. No formal vote on this action was taken.

- 5. REGULAR AGENDA** - There were no items for this Agenda.

6. **BUSINESS FROM THE FLOOR** - There were no members of the public wishing to address the Commission regarding matters not appearing on the posted agenda.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Work Plan Status Update** - Planning Services Director Peterson provided an overview of Work Plan status. Items discussed included Mitigation Monitoring Program, Permits Plus, Tree Preservation Ordinance, Energy Efficiency and Design Guidelines.
 - 7.2 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities, reviewed the calendar of upcoming meetings and noted the retirement of Principal Planner Holly Keeler and Senior Planner Brendan Vieg's subsequent appointment to Principal Planner.
 - 7.3 **Sustainability Task Force** - Commissioner Luvaas reported on the July 21, 2008 and August 4, 2008 meetings of the Sustainability Task Force.
 - 7.4 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Planning Commission, Chair Luvaas adjourned the meeting at 7:47 p.m. to the Adjourned Regular Meeting of August 21, 2008.

December 18, 2008
Date Approved

_____/s/_____
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
AUGUST 21, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Brendan Vieg, Senior Planner
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

Consultants Present: Scott Friend, PMC
Pam Johns, PMC

1. ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Merz: Spoke with Tom Lando

Kelley: Spoke with Tom Lando (re: Southgate)

Luvaas: Spoke with Marshall Thompson and Tom Lando (re: Bell-Muir); Dave Warren (re: Estes; and, Steve Schuster (re: Doe Mill)

3. CONSENT AGENDA - There were no items for this Agenda.

4. PUBLIC HEARING ITEMS

4.1 Parcel Map 08-01 (Orr/McCraday) 488 E. 3rd Street, APNs 004-094-017 and -018
(Noticed 07-05-08; Continued from 07-17-08; Public Hearing Closed) - A request to subdivide a 1.17-acre site into four lots for single-family residential development. Two

of the lots will be flag lots. The site is designated Low Density Residential on the City of Chico General Plan Diagram, and is located in an R1 Low Density Residential zoning district. The project is categorically exempt from environmental review pursuant to Sections 15315 and 15332 of the California Environmental Quality Act (CEQA) Guidelines (Minor Land Divisions and Infill Development Projects). ***Planning staff recommends that the Planning Commission adopt Resolution No. 08-16, approving the Orr/McCrady Vesting Tentative Parcel Map (PM 08-01).***

Associate Planner Greg Redeker presented the staff report and confirmed that Code Enforcement staff had been out to the property and that no violations had occurred. Both grading and fill were taken into consideration.

It was motioned (Brownell) and seconded (Minasian) that the Planning Commission adopt Resolution No. 08-16, approving the Orr/McCrady Vesting Tentative Parcel Map (PM 08-01), based on the required findings and the conditions of approval contained therein. The Planning Commission modified/added conditions of approval as follows:

Condition of Approval #9.D. is modified to read:

9.D. Rear fencing between the project site and Bidwell Park shall be wrought iron with adjacent shrubs **native plants** on the private property side.

The following conditions were added:

9.F. Additional detailing shall be given to all sides of the homes built on Parcels 1 and 2.

9.G. If a higher ground level floor is needed to comply with flood level restrictions, it shall be accomplished with a raised floor. Slab-on-grade construction atop a small graded rise shall not be acceptable.

10. The access lane shall be constructed with pavers or other pervious pavement.

Motion passed by a vote of 6-1 (Merz opposed)

Not a part of the Commission's action, but "for the record," the Planning Commission encouraged the applicant to keep the carriage house.

4.2 General Plan Update - Chico 2030 Selection of a Preferred Land Use Alternative
(Noticed 08-10-08) - Based on information obtained over the course of the General Plan Update project and with input from City Council/Planning Commission joint study sessions/public forums, the Planning Commission will consider various land use alternatives and select a preferred alternative to forward to the City Council in the form of a recommendation. (**Staff Report: Principal Planners Brendan Vieg and Holly Keeler**)

Planning Services Director Steve Peterson introduced 2030 General Plan consultants from PMC, Pam Johns and Scott Friend. Pam Johns provided opening remarks and Principal Planner Vieg presented the staff report. Chair Luvaas opened the public hearing at 7:48 p.m. Addressing the Commission in the following order were:

Alan Gair - Expressed concern with the growth projections and support of no growth or limited growth, advocated for a more conservative approach.

Chris Nelson- Expressed personal opposition to all 3 alternatives. Feels the Diamond Match land isn't safe. Mentioned the asphalt cap is cracked and not well-maintained.

O.J. McMillan - Representing Butte Environmental Council, supports Alternative C and disagrees with the staff's analysis of the growth alternatives.

Mike McLaughlin - Spoke about Alternative A, specifically the Skyway, considers it aesthetically an extension of the town. Should include a scenic corridor element.

Jason Bougie - Butte Community Builders Association., Bell Muir area, discussed density. Doesn't believe anyone wants to live in an increasingly dense environment.

Bob Kromer - Supports managed, controlled growth, a hybrid of A,B,C. Emphasized job creation and free trade zones. Bell Muir is a great area, including mud creek, once the Eaton road extension opens it up.

Grace Marvin - Conservation Chair, Yahi Group, advocated encouraging selection of Alternative C, preserving the greenline and adding a water element.

Luke Anderson - Supports Alternative C.

Karen Goodwin - Supports sustainability, walkability, mass transit, bike-friendly, community gardens, creative mixed use, and functional art.

Ken Fleming - C is least destructive, but supports the "no" option. Concerned about stretching boundaries, supports a water element. Has staff looked at income data for Butte County and City of Chico for this process?

Debbie Villasenor - Leans toward option C, recognizes need for sustainability. Looking for hybrid, a community we can live, work, have fun in. Wants to hear more about traffic and noise. Advocated for the need to sustain the creeks, to use as an asset.

Elizabeth Devereaux - Member '94 GP Task Force, supports compact urban form, as close to the center as possible, infill, making sure we complete approved projects not built yet. Supports a ring transit idea and Alternative C.

Marshall Thompson - Bell Muir property owner, supports growth there, contiguous and virtually surrounded by development; suggested a good area is between Rodeo and Alamo. Prefers B over A; recommends against C. Does not want high density.

Michael Hapinjan- Said there are people that would live at increased densities when given the choice, over living in a non-ecologically viable way.

Richard Harriman - Echoed Elizabeth Devereaux's comments. Suggested looking at the Visalia General Plan mechanisms for phasing growth.

Jeanne Thatcher - Asked about university expansion and its impact on the urban core.

Nancy Ostrom - On the GPAC, suggested need to include Historical Preservation, specifically regarding the Esplanade. Concerned with office mixed use designation.

Carol Whipple - Concerned about the canal that is around the Mud Creek and Bell Muir area. Corp of Engineers should maintain the land by burning instead of scraping.

Marshall Thompson - Added that he represents a neighborhood association of about 50, the Bell Muir Neighborhood Association.

Luke Anderson - Supports mixed use concept and advocated it doesn't mean ugly. Used Europe as an example, described how it's quite beautiful and quaint.

There being no further speakers, the public hearing was closed at 8:45 p.m.

The Planning Commission recessed for 15 minutes, reconvening at 9:00 p.m. Commissioners and staff were present as noted.

It was motioned (Kelley) and seconded (Hayes) that the Planning Commission forward to the City Council, a finding that Land Use Alternatives A through C and the no project alternative, together with additional opportunity sites identified by the Commission (eastern Park

Avenue from Durham Highway to Highway 99, Lassen Avenue east of Highway 99, and Eaton Road between Morseman and Highway 99), fully bracket the range of land use options for further analysis through the General Plan Update, Public Facilities Finance Plan and Environmental Impact Report.

Motion passed by a vote of 7-0

Discussion and selection of a Preferred Land Use Alternative, to forward to City Council in the form of a recommendation, will be continued to a special meeting of the Planning Commission to be held on Thursday, September 11, 2008 at 6:30 p.m.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - There were no members of the public wishing to address the Commission regarding matters not appearing on the posted agenda.
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.
 - 7.2 **Design Guidelines Subcommittee** - Commissioners Hayes and Kelley reported on the recent meeting of this committee..
 - 7.3 **Sustainability Task Force** - Chair Luvaas provided a report on the August 18, 2008 meeting of the Sustainability Task Force.
 - 7.4 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 11:05 p.m. to September 4, 2008 when a 5:30 p.m. workshop regarding staff reports will be held and followed by the Regular Meeting of the Planning Commission at 6:30 p.m..

December 18, 2008
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE WORKSHOP OF
SEPTEMBER 4, 2008**

Municipal Center
421 Main Street
Council Chambers
Conference Room 1

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
John Merz
Susan Minasian

Commissioners Absent: Mary Brownell
Tom Hayes

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Debbie Presson, City Clerk
Roger S. Wilson, Assistant City Attorney
Fritz McKinley, Building & Development Services Director
Tom Varga, Capital Project Services Director
Sherry Morgado, Housing & Neighborhood Services Director
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

Chair Luvaas called the workshop to order at 5:30 p.m. Commissioners and staff were present as noted.

2. WORKSHOP

2.1 Discussion of staff report format and presentation of Planning Commission recommendations to City Council (*Request to agendize by Commissioner Minasian*)

Chair Luvaas provided opening remarks and a summary of concerns raised regarding staff reports. Commissioner Minasian provided a hand-out and comments. Discussion followed. City Clerk Debbie Presson reviewed the staff report format used throughout the City and explained the reasoning behind its prescribed structure. Discussion points are summarized as follows:

- A) No change in staff report format; changes require City Manager approval. Staff will include Commission vote and move its recommendation to the front of the report after staff's recommendation.

- B) The Municipal Code does not require minutes or a prescribed format for pre-application neighborhood meetings. Staff will include a summary of meeting results and attendance when in attendance at meetings.
- C) The inclusion of all comments by outside agencies is not always possible, as City staff cannot compel these agencies to meet City report deadlines.
- D) Standardizing staff conditions needs more discussion and could be considered as part of the updated design guidelines.
- E) When staff and Commission recommendations to the Council conflict, staff will not prepare separate Council findings and resolutions/ordinances to reflect both recommendations. The Commission is responsible for developing its own findings in the form of an intent motion.

No motions were made and no formal action was taken.

3. ADJOURNMENT

Chair Luvaas adjourned the workshop to the Planning Commission's Regular Meeting of September 4, 2008 at 6:30 p.m. in the Council Chambers.

February 5, 2009
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
SEPTEMBER 4, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell (arrived at 6:57 p.m.)
John Merz
Susan Minasian

Commissioners Absent: Tom Hayes

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Jake Morley, Assistant Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Shawn Tillman, Senior Planner, Housing/Neighborhood Services
Denice Britton, Urban Forester (for Item 4.1 only)
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

Chair Luvaas called the meeting to order at 6:38 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Kelley: Spoke with Mark Abouzeid (re: Chico VW Expansion)

Merz: Spoke with Carl Leverenz (Attorney for Abouzeid) in the past

Luvaas: Spoke with Carl Leverenz a couple years ago; Mark Abouzeid and Mark Hooper

3. CONSENT AGENDA - There were no items for this Agenda.

4. PUBLIC HEARING ITEMS

4.1 Belvedere Heights Development Agreement Amendment (DA 03-02) located at the northeast corner of Bruce Road and East 20th Street/Doe Mill Road, APNs 018-390-045; -046; -047; and -048 (Noticed 07-26-08; Continued from 08-07-08) - A request to extend the term of the development agreement (and conforming tentative map) three years; to defer for three years, payment of development agreement fees as a settlement of litigation and to

reduce the amount of general liability aggregate coverage from \$3 million to \$2 million. *The Planning Services Director recommends that the Planning Commission forward a recommendation to City Council to (1) approve the term of the development agreement (and conforming tentative map) for three years; (2) deny the request to defer payment of development agreement fees; and, (3) approve the reduction in the amount of general liability coverage from \$3 million to \$2 million.*

Planning Services Director Peterson presented the staff report. Chair Luvaas opened the public hearing at 6:43 p.m. Addressing the Commission in the following order were:

- **William Abbott**, attorney representing the applicant, spoke in favor
- **Bud Pyshora**, neighbor on St. Augustine, expressed desire for vegetative screening (refer to Attachment G, page 28, item 9 in the Staff Report)
- **Denice Britton**, Urban Forester, explained usual process for establishing vegetation

Commissioner Brownell arrived at 6:57 p.m. There being no further speakers, the public hearing was closed at 6:59 p.m.

It was motioned (Kelley) and seconded (Minasian) that the Planning Commission forward a recommendation to the City Council to (1) approve extending the term of the development agreement (and subdivision map) for three years; (2) deny the request to defer payment of development agreement fees for three years; and, (3) approve the reduction in the amount of general liability coverage from \$3 million to \$2 million.

Motion passed by a vote of 3-2-1-1

Ayes: Barrett, Kelley, Minasian

Noes: Luvaas, Merz

Absent: Hayes

Abstained: Brownell

- 4.2 General Plan Amendment 08-04, Rezone 07-01, Use Permit 07-22, Architectural Review 08-19 and Certificate of Appropriateness 08-01 (Chico Volkswagen Expansion) located at 900 and 948 Broadway, 231 West 9th Street, APNs 004-289-003; 004-289-002; and 005-094-004 (Noticed 08-04-08)** - A request to amend the General Plan diagram, rezone a 0.90-acre portion of the project site and to allow vehicle sales and off-site parking. The 1.50-acre project site is located at the southwest corner of Broadway and West 9th Street and is divided into northern and southern halves by Little Chico Creek. The northern half is designated Downtown on the General Plan diagram, and contains one parcel that is located in an RD Downtown Residential zoning district and a second parcel in the C-1 Restricted Commercial zoning district. The request is to change the northern property to a Community Commercial designation on the General Plan diagram and a CC Community Commercial zoning district designation. The southern property is designated Community Commercial on

the General Plan diagram and is located in the CC Community Commercial zoning district. The Planning Services Department is recommending that a mitigated negative declaration be adopted pursuant to the California Environmental Quality Act (CEQA). *Planning staff recommends that the Planning Commission adopt Resolution 08-18, recommending that the City Council adopt the mitigated negative declaration and approve General Plan Amendment 08-04, Rezone 07-01, Use Permit 07-22, Architectural Review 08-19, and Certificate of Appropriateness 08-01, subject to the conditions of approval contained therein.*

Assistant Planner Morley presented the staff report. Chair Luvaas opened the public hearing at 7:26 p.m. Addressing the Commission were:

- **Mark Abouzeid**, applicant, explained delay in bringing project forward and stated he is offering a 25-foot dedication on the south side (948 Broadway) for future creekside greenway pathway (the dedication is not required), **in favor**
- **Amy Abouzeid**, applicant, **in favor**
- **David DeBock**, nearby property owner, **in favor**
- **Judith Padolgke**, area resident, **in favor**
- **Barry Lehrbaum**, Chico VW employee, **in favor**
- **Emily Alma**, citizen, **expressed concern**
- **Guy Monlux**, Chico VW employee, **in favor**
- **Paul Lieberum**, Barber Neighborhood Assn (BNA) member, **opposed**
- **Anna Caul**, BNA member, **opposed**
- **Lee Ann Ferrone**, closest neighbor to Chico VW, **in favor**
- **Adam Fedeli**, BNA member, **opposed**
- **Roger Cole**, Streaminders member, **opposed**
- **Nani Teves**, watershed coordinator, **opposed**
- **Debbie Villaseñor**, BNA member, **opposed**
- **Steve Schuman**, BNA steering committee member, **opposed**
- **Michael Pike**, member, Neighbors for Environmental/Fiscal Responsibility, **opposed**
- **Eloise Jones**, BNA member, **opposed**

The Planning Commission recessed at 8:20 p.m. and reconvened at 8:33 p.m. at which time the Public Hearing testimony continued. Commissioners and staff were present as noted.

- **Linda Hamilton**, BNA steering committee member, **opposed**
- **Shelly Dutro**, Chico VW employee, **in favor**
- **Linda Garner**, Chico VW employee, **in favor**
- **Randy Abbott**, nearby resident, **expressed concern** re: general plan interpretation

- **Carl Leverenz**, attorney for applicant, **in favor**
- **Mike Trolinder**, citizen, **in favor**
- **Melinda Vasquez**, resident in Avenues neighborhood, **opposed**
- **Janet Ellner**, BNA member, **opposed**
- **Nancy Browning**, citizen, **in favor**
- **Hilary Herman**, citizen, **opposed**
- **Russ Kalen, DC**, business owner (across the street from Chico VW), **in favor**
- **Florence Jason**, citizen, **in favor**
- **William Blakely**, Chico VW employee, **in favor**
- **Elizabeth Stewart**, citizen, **expressed concern**
- **Donna McCullage**, Chico VW employee, **in favor**
- **Wayne Craig**, business owner, Chico Motorsports, 16th & Park, **in favor**
- **Mark Bittrolff**, citizen, **in favor**
- **Mary Bedford**, citizen, **in favor**
- **Mark Abouzeid**, applicant, responded to public hearing comments

There being no further speakers, the public hearing was closed at 9:28 p.m.

Commissioner Minasian asked for clarification of the power/authority/scope of the draft Southwest Chico Neighborhood Plan (SWCNP). Senior Planner Tillman, Housing and Neighborhood Services, stated the SWCNP has no regulatory effect, but rather provides a vision for the future and focuses largely on capital improvements of primarily a public, not private, nature.

Assistant City Attorney Wilson stated there are findings the Planning Commission needs to make on the proposed entitlements; however, nothing to do with the SWCNP would be grounds for denial.

Commission Merz asked for clarification on the issue of creekside dedication. Assistant City Attorney Wilson stated his legal opinion that the impacts of the use permit do not legally require a dedication.

The Planning Commission recessed at 10:02 p.m. and reconvened at 10:15 p.m. Commissioners and staff were present as noted.

It was motioned (Merz) and seconded (Brownell) that the Planning Commission adopt a motion of intent to deny the proposed entitlements with findings to be determined. In an effort to assist staff in preparation of a resolution to recommend denial, the Planning Commission listed the following

as General Plan policy sections with which the proposed project is inconsistent: CDG 11, CDG 19, CDG 29, LUG 14, LUI 10, LUI 23, OSI 21, OSI 22 and the text on page 3-38 that refers to “avoiding the expansion of auto-oriented uses...”

*Motion passed by a vote of 4-2-1
Ayes: Barrett, Brownell, Luvaas, Merz
Noes: Kelley, Minasian
Absent: Hayes*

5. **REGULAR AGENDA** - There were no items for this Agenda.

6. **BUSINESS FROM THE FLOOR**

David DeBock, citizen, made a comment about Little Chico Creek.

7. **REPORTS & COMMUNICATIONS**

7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.

7.2 **Design Guidelines Subcommittee** - Vice Chair Kelley reported on August 25, 2008 meeting of this committee.

7.3 **Communication(s)** - None

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 10:58 p.m. to the Adjourned Regular Meeting of September 11, 2008 at 6:30 p.m.

February 5, 2009
Date Approved

/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
SEPTEMBER 11, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Brendan Vieg, Principal Planner
Meredith Williams, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

Consultants Present: Pam Johns, PMC
Scott Friend, PMC

1. CALL TO ORDER AND ROLL CALL

Chair Luvaas called the meeting to order at 6:32 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION - None

3. CONSENT AGENDA - There were no items for this Agenda.

4. PUBLIC HEARING ITEMS

4.1 General Plan Update - Chico 2030 Preferred Land Use Alternative (*Noticed 08-09-08; Continued from 08-21-08; Public Hearing Closed*) - Based on information obtained over the course of the General Plan Update project and with input from City Council/Planning Commission joint study sessions/public forums, the Planning Commission will consider various land use alternatives and select a preferred alternative to forward to the City Council in the form of a recommendation.

Pam Johns provided opening remarks and a recap of the meeting of August 21, 2008 at which the Commission, on a 7-0 vote, approved a motion that the three General Plan Land Use Alternatives and the No Project Alternative fully bracket the range of alternatives. Included in the motion was an amendment to add three additional locations to the existing list of opportunity sites as follows: Lassen, east of 99; Eaton, between Morseman and 99; and East Park Avenue, from Midway to 99. In addition to the approved motion, a straw poll vote of the Commission confirmed that four Commissioners favored using Alternative B as the starting point for further refinement of a preferred Land Use Alternative while three Commissioners supported Alternative C as a starting point.

Chair Luvaas asked for a motion to formalize the straw poll taken at the August 21, 2008 meeting regarding the Alternative to be used as the basis for moving forward.

It was motioned (Kelley) and seconded (Barrett) that the Commission use Alternative B as the starting point in selection of a preferred alternative to recommend for City Council consideration.

*Motion passed by a vote of 4-3
Ayes: Barrett, Hayes, Kelley, Minasian
Noes: Brownell, Luvaas, Merz*

The Commission's subsequent review of the Constrained Consideration Sites, Opportunity Sites, Special Planning Areas and Land Owner Requests began by examining Alternative B.

Constrained Consideration Sites

For each site discussed, a list of the Land Use designations and additional direction recommended by the Commission is provided below.

1. West of Airport - RM-HCP as presented in Alternatives "A" and "C", with staff direction to consider an alternate designation for the small area in the northwest corner of the site along Hicks Rd. that is already in use.
2. Bruce Rd./Skyway - RM-HCP as presented in Alternatives "A" and "C" and recommended the area in the southwest corner of the site, shown as CC on Alternative "B" be changed to PFS at the request of Chico Unified School District, the owner of the property.
3. Bruce Rd./Stilson Canyon Rd. - RM-HCP as presented in Alternatives "A" and "C" and extend it to the east all the way to the City boundary, and exclude the small developed area along Bruce Rd. at the western end of the site.

Opportunity Sites

For each Opportunity Site discussed, a list of the Land Use designations recommended by the Commission is provided below. At the next meeting, the Commission will provide final direction on the Opportunity Sites.

1. North Esplanade - OMU, RMU, CMU as presented in all Alternatives with additional areas of CMU.
2. North Valley Plaza - RC, MHDR, NC as presented in Alternative "B."
3. Mangrove Avenue - CMU as presented in all Alternatives.
4. Chico Nut - OMU, RMU-HD as presented in Alternative "B" with additional areas of HDR (CG was also suggested, but it is already provided). Also look to redesignate the uses along Oleander between E. 10th and E. 9th Avenue consistent with the commercial activity at that location.
5. Vanella Orchard - MUNC, MDR, MHDR as presented in Alternative "B" with an additional area of P.
6. Train Depot/South Campus - IOMU, MUNC, CMU as presented in all Alternatives.
7. Downtown - OMU, RMU, CMU, DRMU, P, PFS as presented in Alternative "B" with additional areas of RMU-HD (CG was suggested, but it is existing).

The Planning Commission recessed at 8:30 p.m. and reconvened at 8:43 p.m. Commissioners and staff were present as noted.

8. 8th & 9th Street Corridor - CC, CMU, LDR, MDR, MHDR, PFS, NC, RMU as presented in Alternative "B."
9. Park Avenue South - CMU, MUNC, RMU-HD, HDR as presented in all Alternatives.
10. The Wedge - CMU, IOMU, PFS as presented in Alternatives "A" and "B."
11. East 20th Street - RC, CS as presented in Alternative "A."
12. Skyway - RC as presented in all Alternatives.
13. Pomona Avenue - LDR, MDR, MHDR, MUNC, as presented in Alternative "B" with the MUNC area changing to NC.
14. Nord Avenue - Commission's initial recommendation for this new Opportunity Site is to change all sites that are designated M&W to IOMU, and to add the CMU designation at the W. 8th Avenue and W. Sacramento Avenue intersections.

15. East Avenue - Commission's initial recommendation for this new Opportunity Site is to apply the RMUH designation to the two vacant parcels east of the commercial area at East and Esplanade. The OMU designation is being applied to areas that were previously identified as Office.
16. East Park Avenue - Commission's initial recommendation for this new Opportunity Site is to apply the IOMU designation to the areas on the south side of Park Avenue that are designated M&W.
17. Lassen Avenue - Commission's initial recommendation for this new Opportunity Site is to apply the NC designation to the Towermart and Lassen/El Paso sites.
18. Eaton Road - Commission's initial recommendation for this new Opportunity Site is to either apply an MUNC or NC designation to a portion (5 to 10 acres) of the vacant MHDR area on the north side of Eaton Avenue.

It was motioned (Minasian) and seconded (Brownell) that the Planning Commission continue its meeting until 11:00 p.m.

Motion passed by a vote of 7-0

The Planning Commission recessed at 10:00 p.m. and reconvened at 10:12 p.m. Commissioners and staff were present as noted.

Special Planning Areas

1. Diamond Match

It was motioned (Kelley) and seconded (Luvaas) to recommend Alternative C, but buffer the north and east side with some quantity of low density residential.

A straw poll indicated a lack of support for the motion on the floor. Chair Luvaas called for a new motion.

It was motioned (Merz) and seconded (Kelley) to go with Alternative B.

Motion passed by a vote of 7-0

2. Macintosh/Estes - The Commission agreed to consider these two areas separately.

As for the Macintosh property, it was motioned (Merz) and seconded (Minasian) to recommend Alternative C.

*Motion passed by a vote of 5-1-0-1
Ayes: Barrett, Brownell, Luvaas, Merz, Minasian
Noes: Hayes
Abstained: Kelley*

As for the Estes property, it was motioned (Kelley) and seconded (Hayes) that this area be included as an urban reserve (undefined) with an underlying Alternative B land use designation.

*Motion passed by a vote of 4-3
Ayes: Barrett, Hayes, Kelley, Luvaas
Noes: Brownell, Merz, Minasian*

Urban Reserve Concept

As part of the Commission's discussion of the Special Planning Areas, in particular for areas that are located on the agricultural side of the Greenline, the Commission inquired about expanding the use of the already identified "Urban Reserve" designation to function as a holding place for specific areas until conditions or criteria are met that would warrant development.

Discussion of the General Plan Land Use Alternatives is continued to September 18, 2008 meeting of the Commission and will commence one-half hour earlier than usual.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Peterson provided an update of departmental activities. A calendar of upcoming meetings was distributed.
 - 7.2 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 11:05 p.m. to the Adjourned Regular Meeting of September 18, 2008 at 6:00 p.m.

February 5, 2009
Date Approved

_____/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
SEPTEMBER 18, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair (Arrived at 6:15 p.m.)
Kathy Barrett
Mary Brownell
Tom Hayes (Arrived at 6:23 p.m.)
John Merz
Susan Minasian (Left at 11:35 p.m.)

Staff Members Present: Steve Peterson, Planning Services Director (Arrived at 6:25 p.m.)
Mark Wolfe, Principal Planner
Brendan Vieg, Principal Planner
Meredith Williams, Associate Planner
Jake Morley, Assistant Planner
Roger S. Wilson, Assistant City Attorney
Tom Varga, Capital Project Services Director
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

Consultant(s) Present: Scott Friend, PMC

1. CALL TO ORDER AND ROLL CALL

Chair Luvaas called the meeting to order at 6:05 p.m. Commissioners and staff were present as noted.

2. DISCUSSION OF EX PARTE COMMUNICATION

Barrett: George Nicholaus

Brownell: Tom Lando, George Nicholaus

Kelley: George Nicholaus

Luvaas: Elizabeth Devereaux, George Nicholas

Merz: Gary Phillips, Tom Lando, Cheryl King, George Nicholaus

(Note: All Ex Parte Communication was related to the General Plan Update - Land Use Alternatives; Nicholaus noted as a result of his written communication to the Commission)

Chair Luvaas announced that Public Hearing Agenda Item 4.2, the Southwest Neighborhood Plan, will be continued to the Planning Commission's Regular Meeting of October 2, 2008.

3. CONSENT AGENDA

3.1 Chico Volkswagen Expansion Project - GPA 08-04, RZ 07-01, UP 07-22, AR 08-19, and COA 08-01 - 900 and 948 Broadway, 231 W. 9th Street (APNs 004-289-003, 004-289-002, and 005-094-004 (Noticed 08-04-08; Public Hearing 09-04-08)

Action: Adoption of Resolution 08-18, recommending City Council denial of the requested entitlements.

At the request of Commissioner Merz, this item was pulled from the Consent Agenda and will be heard under the Regular Agenda.

It was motioned (Merz) and seconded (Brownell) to hear the Regular Agenda out of order, prior to the Public Hearing Agenda.

Motion passed by a vote of 5-0-2

Ayes: Barrett, Brownell, Luvaas, Merz, Minasian

Noes: None

Absent: Hayes, Kelley (Arrived after the voting on this motion)

Let the record show Commissioner Kelley arrived at 6:15 p.m.

5. REGULAR AGENDA

5.1 Chico Volkswagen Expansion Project - GPA 08-04, RZ 07-01, UP 07-22, AR 08-19, and COA 08-01 - 900 and 948 Broadway, 231 W. 9th Street (APNs 004-289-003, 004-289-002, and 005-094-004 (Noticed 08-04-08; Public Hearing 09-04-08)

Action: Adoption of Resolution 08-18, recommending City Council denial of the requested entitlements.

It was motioned (Merz) and seconded (Brownell) that tonight's action include four additional findings of inconsistency with General Plan policies and principles, specifically, CD-G-14, PP-G-2, OS-G-15, OS-G-16.

Motion failed by a vote of 3-3-1

Ayes: Brownell, Luvaas, Merz

Noes: Barrett, Kelley, Minasian

Absent: Hayes absent (Arrived after voting on this motion)

It was motioned (Luvaas) and seconded (Merz) that tonight's action include one additional finding, that amending the downtown zoning for this property would create an unlawful inconsistency between the land use diagram and the land use policies for downtown.

Motion failed by a vote of 3-3-1

Ayes: Brownell, Luvaas, Merz

Noes: Barrett, Kelley, Minasian

Absent: Hayes absent (Arrived after voting on this motion)

Let the record show that Tom Hayes arrived at 6:23 p.m.

It was motioned (Merz) and seconded (Brownell) that the Planning Commission adopt Resolution No. 08-18, recommending City Council denial of the requested entitlements.

Motion passed by a vote of 4-2-0-1

Ayes: Barrett, Brownell, Luvaas, Merz

Noes: Kelley, Minasian

Absent: None

Abstain: Hayes

Let the record show that Steve Peterson arrived at 6:25 p.m.

4. PUBLIC HEARING ITEMS

- 4.1 General Plan Update - Chico 2030 Preferred Land Use Alternative** (*Noticed 08-09-08; Continued from 08-21-08 and 09-11-08; Public Hearing Closed*) - Based on information obtained over the course of the General Plan Update project and with input from City Council/Planning Commission joint study sessions/public forums, the Planning Commission will consider various land use alternatives and select a preferred alternative to forward to the City Council in the form of a recommendation.

Principal Planer Vieg provided opening remarks, advising the Commission that this item will be going before the City Council on Tuesday, October 7, 2008. PMC Consultant, Scott Friend, led the continued discussion of Special Planning Areas (SPAs). At its meeting on September 11, 2008, the Planning Commission began reviewing the SPAs and completed review of SPA #1 (Diamond Match) and SPA #2 (Macintosh/Estes).

Changes to Alternative B Special Planning Areas (*Continued from 09-11-08*)

3. Midway - Not included; motion to include as Urban Reserve failed by a vote of 3-4.

4. South Entler - Alternative C, with the RC portion divided into thirds, one-third RC, one-third NC, and one-third IOMU; supported 5-2.

The Planning Commission recessed at 7:40 p.m. and reconvened at 7:50 p.m. Commissioners and staff were present as noted.

5. Bell Muir - Not included; supported 4-3.
6. Mud Creek - Not included; supported 4-3.
7. North Chico - Alternative C, with the northern LDR portion changed to IOMU; supported 7-0.
8. Doe Mill/Honey Run - Not included; motion to include as Urban Reserve initially supported 4-3, but failed 3-4 as a result of Commissioner Hayes changing his vote.
9. Nance Canyon - There was no support for including this SPA.

The Planning Commission recessed at 9:10 p.m. and reconvened at 9:20 p.m. Commissioners and staff were present as noted.

Changes to Alternative B Opportunity Sites

1. North Esplanade - OMU, RMU, CMU as presented in all Alternatives with all properties designated CC changed to CMU; supported 7-0.
2. North Valley Plaza - RC, MHDR, NC as presented in all Alternatives; supported 7-0.
3. Mangrove Avenue - CMU as presented in all Alternatives; supported 7-0.
4. Chico Nut - Changed the front portion of the site to CMU and designated the rear as RMU-HD. Also designed the properties fronting Oleander, between E. 10th Street and E. 9th Avenue, to Esplanade, as CMU; supported 4-3.
5. Vanella Orchard - MUNC, MDR, MHDR as presented in Alternative "B" with a 2.5 acre portion changed from MHDR to Park; supported 4-3.
6. Train Depot/South Campus - IOMU, MUNC, CMU, RMU, PFS, MHDR as presented in all Alternatives; supported 7-0.

7. Downtown - After a motion for Alternative “B” failed 3-4, the Planning Commission agreed to make no recommendation and expressed a desire to gather a formal recommendation from the Ad Hoc Downtown Committee prior to the Council’s decision on a preferred Land Use Alternative for Downtown.

It was motioned (Kelley) that the meeting be continued until 11:30 p.m. The motion failed due to lack of a second.

8. 8th and 9th Street Corridor - CC, CMU, LDR, MHDR, PFS, NC, RMU as presented in Alternative “B”; supported 7-0.
9. Park Avenue South - CMU, MUNC, RMU-HD, HDR as presented in all Alternatives; supported 7-0.
10. The Wedge - CMU, IOMU, PFS as presented in Alternative “A”; supported 5-2.
11. East 20th Street - RC, CMU; supported 6-1.
12. Skyway - RC as presented in all Alternatives; supported 7-0.
13. Pomona Avenue - LDR, MDR, MHDR, NC; supported 4-3.
14. Nord Avenue - All M&W sites changed to IOMU, and CC sites at the W. 8th Avenue and W. Sacramento Avenue intersections changed to CMU; supported 7-0.
15. East Avenue - RMUH north and south of East Avenue as presented in Alternative “B”; supported 7-0.
16. East Park Avenue - No longer considered an Opportunity Site. No change to existing General Plan; supported 7-0.
17. Lassen Avenue - NC at the Towermart and Lassen/El Paso sites; supported 7-0.
18. Eaton Road - Added a 4-acre area changed from MHDR to NC; supported 7-0.

Let the record show that Commissioner Minasian left the Council Chambers at 11:35 p.m.

Changes to Alternative B Property Owner Requests (not already addressed as part of the review of the Special Planning Areas and Opportunity Sites)

1. SR 99/Garner - No change to existing General Plan; supported 5-1-1.
2. McGowan Family/SR 99 (south)- No change to existing General Plan, supported 4-2-1.

3. Peterson Tractor/SR 99 - No change to existing General Plan; supported 5-1-1.
4. Skyway Park, LLC - No change to existing General Plan; supported 4-2-1.

Other Miscellaneous Modifications

The following modifications were discussed and supported by a majority of the Planning Commission, although not in relation to a specific planning area or opportunity site.

1. Raise the upper residential density limit of RC from 20 to 50 d.u./acre.
2. Set the upper residential density limit of NC and CC to 22 d.u./acre.
3. When policies are developed, consider providing density bonuses along transit corridors.

It was motioned (Brownell) and seconded (Hayes) that the Planning Commission forward to City Council, its recommendation for Preferred Land Use Alternative B, together with all recommended modifications formulated by the Planning Commission, based on its consideration of the Special Planning Areas, Opportunity Sites, Constrained Areas and landowner requests.

Motion passed by a vote of 6-0-1

Ayes: Barrett, Brownell, Hayes, Kelley, Luvaas, Merz

Noes: None

Absent: Minasian

- 4.2 **Southwest Neighborhood Plan - Determination of General Plan Consistency and Recommendation to City Council** (*Noticed 08-28-08*) - The Southwest Neighborhood Plan recommends a range of potential actions that can be taken to address issues, concerns and opportunities associated with the following topic areas: infrastructure, land use and neighborhood character, pedestrian and bicycle improvements, creeks and open space, public improvements, circulation, transit, parks, economic development and resources (stormwater management, urban forest, historic resources) in the 654-acre Southwest Chico Neighborhood south of downtown Chico. ***Due to the full agenda for this meeting, Staff recommends that this item be continued to the Planning Commission's Regular Meeting of October 2, 2008 in order to allow sufficient time for the public hearing and Commission consideration of this matter.***
6. **BUSINESS FROM THE FLOOR** - None

7. **REPORTS & COMMUNICATIONS** - None

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 11:52 p.m. to the Regular Meeting of October 2, 2008 at 6:30 p.m.

February 5, 2009
Date Approved

_____/s/
Steve Peterson
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
OCTOBER 2, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Commissioner(s) Absent: Kathy Barrett

Staff Members Present: Mark Wolfe, Principal Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Sherry Morgado, Housing & Neighborhood Services Director
Shawn Tillman, Senior Planner, Housing & Neighborhood Svcs
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Brownell: Attended a Southwest Neighborhood meeting a couple of years ago

Luvaas: Attended one Southwest Neighborhood meeting, possibly part of another

3. CONSENT AGENDA - There were no items for this Agenda.

4. PUBLIC HEARING ITEMS

4.1 Southwest Neighborhood Plan - Determination of General Plan Consistency and Recommendation to City Council (*Noticed 08-28-08; Continued from 09-18-08*) - The Southwest Chico Neighborhood Plan (SWCNP) recommends a range of potential actions that can be taken to address issues, concerns, and opportunities associated with the following topic areas: infrastructure, land use and neighborhood character, pedestrian and bicycle improvements, creeks and open space, public improvements, circulation, transit, parks, economic development and resources (stormwater management, urban forest, historic resources) in the 654-acre Southwest Chico Neighborhood south of downtown Chico.

Staff recommends that the Planning Commission adopt Resolution No. 08-19, recommending that the City Council: 1) adopt a negative declaration for this project; 2) determine that the Southwest Chico Neighborhood Plan is consistent with the City of Chico General Plan; and, 3) adopt the Southwest Chico Neighborhood Plan.

Housing and Neighborhood Sherry Morgado provided an overview of neighborhood planning and the goals it should accomplish. Comments specific to the SWCNP were provided by two members of the SWCNP Steering Committee, Adam Fedeli, representing the residential community and Don Russell, Russell Gallaway Associates, Inc., representing the business community. Senior Planner Shawn Tillman presented the staff report.

Chair Luvaas opened the public hearing at 7:03 p.m. Addressing the Commission in the following order were:

- **Emily Alma**, resident on Estes Road, spoke in favor
- **Glenda Morse**, Facilities Planning at Chico State University, spoke in favor
- **Bruce Brubaker**, DCE, Consultant, responded to a question related to future economic development and design guidelines applied in crafting the SWCNP

There being no further speakers to address the Commission, Chair Luvaas closed the public hearing at 7:17 p.m.

It was motioned (Brownell) and seconded (Hayes) that the Planning Commission adopt Resolution No. 08-19, recommending that the City Council: 1) adopt a negative declaration for this project; 2) determine that the Southwest Chico Neighborhood Plan is consistent with the City of Chico General Plan; and, 3) adopt the Southwest Chico Neighborhood Plan.

Motion passed by a vote of 5-1-1

Ayes: Brownell, Hayes, Kelley, Luvaas, Merz

Noes: Minasian

Absent: Barrett

Chair Luvaas proposed that the Planning Commission forward a comment to City Council, suggesting that the Council consider a portion of south/lower Park Avenue as an Opportunity Area in the context of the 2030 General Plan Update process. A straw poll as to agreement confirmed support by five Commissioners (Barrett absent/Merz abstained). Let the record show that the Commission supported forwarding the comment to Council.

- 5. REGULAR AGENDA** - There were no items for this Agenda.

6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - The Commission was provided with a calendar of upcoming meetings and events. Cancellation of the Commission's Adjourned Regular Meeting of October 16, 2008 was noted.
 - 7.2 **Sustainability Task Force** - Chair Luvaas provided a summary of the Task Force meeting of September 15, 2008.
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 7:55 p.m. to the Regular Meeting of November 6, 2008 at 6:30 p.m.

February 5, 2009
Date Approved

/s/
Steve Peterson
Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of

October 16, 2008 Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the October 16, 2008 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, November 6, 2008 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: October 8, 2008

Distribution:

Council (7)
City Manager
City Clerk
PSD Peterson
ACA Wilson
SDE Johnson
PLD Staff

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
NOVEMBER 6, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Kathy Barrett
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Zach Thomas, Senior Planner
Jake Morley, Assistant Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Fritz McKinley, Building & Development Services Director
Sherry Morgado, Housing & Neighborhood Services Director
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

- 3.1 Minutes** - Adjourned Regular Meeting of April 17, 2008
Minutes - Regular Meeting of May 1, 2008
Minutes - Regular Meeting of June 5, 2008
Minutes - Adjourned Regular Meeting of June 19, 2008

Requested Action: Approve the minutes, with corrections, if any

It was motioned (Merz) and seconded (Minasian) to approve the Consent Agenda as presented. Taking into account any voting abstention(s), as a

result of absence(s) from the meetings in question, final voting on each set of meeting minutes shall be recorded as follows:

*Minutes of April 17, 2008 and May 1, 2008
Motion passed by a vote of 7-0*

*Minutes of June 5, 2008
Motion passed by a vote of 6-0-0-1 (Minasian abstained)*

*Minutes of June 19, 2008
Motion passed by a vote of 6-0-0-1 (Hayes abstained)*

4. PUBLIC HEARING ITEMS

- 4.1 Use Permit 08-28 (Catalyst) 1321 Ivy Street, APN 039-400-016 (Noticed 10-25-08)** - A request to allow an adult residential care facility and transitional housing for victims of domestic violence including supporting office, laundry, and kitchen facilities. The request also includes a vehicle parking reduction. The facility could house up to 28 adults with additional room for children. The site is located on land designated Medium Density Residential on the General Plan diagram and is located in the R2 Medium Density Residential zoning district. The project has been determined to be exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). *Planning Staff recommends that the Planning Commission find the project categorically exempt from environmental review and approve Use Permit 08-28 based on the required findings and subject to the conditions of approval contained therein.*

Assistant Planner Jake Morley presented the staff report. Chair Luvaas opened the public hearing at 6:37 p.m. Addressing the Commission in the following order were:

- **Anastacia Snyder**, representing Catalyst, spoke in favor

There being no further speakers to address the Commission, Chair Luvaas closed the public hearing at 6:42 p.m.

It was motioned (Brownell) and seconded (Hayes) that the Planning Commission find the project categorically exempt from environmental review and approve Use Permit 08-28 based on the required findings and subject to the conditions of approval contained therein, including modifications as follows:

*Condition of Approval #1 is modified to read: "...and a parking stall reduction of ~~six stalls~~ **from 26 to 20 spaces...**"*

*Condition of Approval #4 is modified to read: “Program staff or trained volunteers shall be present at the facility between the hours of ~~8:00 a.m.~~ **9:00 a.m.** and 11:00 p.m.”*

Motion passed by a vote of 7-0

- 4.2 Hawkins Companies, LLC (RZ 08-05)** (*Noticed 10-25-08*) - A proposal to amend Table 5-4D Parking Requirements - Retail Trade of Section 19.70.040 of the Chico Municipal Code to add a new land use of “Drug Stores/Pharmacies” with a parking ratio of one (1) parking space for each 300 square feet of gross floor area vs. the one (1) parking space for each 200 square feet of gross floor area currently required for retail stores. The Planning Commission will make a recommendation to the City Council, which will take final action on this item. This project has been determined to be exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) (General Rule Exemption) of the CEQA Guidelines. *Planning staff recommends that the Planning Commission adopt Resolution No. 08-20, recommending that the City Council approve the amendment to Table 5-4D Parking Requirements - Retail Trade of Section 19.70.040 of the Chico Municipal Code.*

Senior Planner Zach Thomas presented the staff report. Chair Luvaas opened the public hearing at 6:52 p.m. Addressing the Commission in the following order were:

- **Lance Evans**, Hawkins Companies, representing the applicant, spoke in favor

There being no further speakers to address the Commission, the public hearing was closed at 6:54 p.m.

It was motioned (Kelley) and seconded (Brownell) that the Planning Commission adopt Resolution No. 08-20, recommending that the City Council approve the amendments to Table 5-4D Parking Requirements - Retail Trade of Section 19.70.040 of the Chico Municipal Code.

The motion was not voted upon. A new motion was introduced:

It was motioned (Merz) and seconded (Minasian) that Resolution No. 08-20 be modified to apply a parking ratio of one (1) space for each 400 square feet of gross floor area to the new land use category of “Drug Stores/Pharmacies” vs. the one (1) space for each 300 square feet of gross floor area recommended by staff and vs. the one (1) space for each 200 square feet of gross floor area currently required for retail stores.

Motion passed by a vote of 4-3

Ayes: Barrett, Luvaas, Merz, Minasian

Noes: Brownell, Hayes, Kelley

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - The Commission was provided with a calendar of upcoming meetings and events. The Commission discussed cancellation of the Adjourned Regular Meeting of November 20, 2008, updated AP&Ps from the City Clerk (to be covered in greater detail at orientation in early 2009) and requested a status update on the 2007-2008 Planning Commission Work Plan.
 - 7.2 **General Plan Advisory Committee (GPAC)** - Vice Chair Kelley provided a summary of the October 22, 2008 meeting of the GPAC which focused on traffic and circulation, the feasibility of inner/outer transit rings and “complete streets.”
 - 7.3 **Sustainability Task Force** - Chair Luvaas provided a summary of the two Task Force meetings and one ad hoc committee meeting held during October, which focused on air quality issues, including the possible phasing out of non-EPA rated wood stoves and open fireplaces and discussion with the BCAQMD regarding mitigation of air quality impacts. The Task Force is recommending that the City adopt the provisions of the model air quality element prepared by the Cal Air Quality Authorities and approved by the Butte County authorities. The Task Force also participated in the Sustainability Conference at CSU Chico.
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Luvaas adjourned the meeting at 7:40 p.m. to the Regular Meeting of December 4, 2008 at 6:30 p.m.

February 5, 2009
Date Approved

/s/
Steve Peterson
Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of
November 20, 2008 Planning Commission
Meeting

NOTICE IS HEREBY GIVEN that the November 20, 2008 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, December 4, 2008 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: November 14, 2008

Distribution:

Clerk & Council (8)
City Manager
PSD Peterson
ACA Wilson
SDE Johnson



City of Chico
NOTICE OF CANCELLATION
of
December 4, 2008
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the December 4, 2008 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, December 18, 2008 for an adjourned regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: November 19, 2008

Distribution:

Clerk & Council (8)
City Manager
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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
DECEMBER 18, 2008**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Jon Luvaas, Chair
Dave Kelley, Vice Chair
Mary Brownell
Tom Hayes
John Merz
Susan Minasian

Commissioners Absent: Kathy Barrett

Staff Members Present: Steve Peterson, Planning Services Director
Mark Wolfe, Principal Planner
Zach Thomas, Senior Planner
Greg Redeker, Associate Planner
Roger S. Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant (left at 6:45 p.m.)

1. CALL TO ORDER AND ROLL CALL

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

2. DISCUSSION OF EX PARTE COMMUNICATION

Luvaas: Spoke with Jim Mann and Paul Leete regarding Manzanita Village (street, drainage and access issues) several weeks ago.

Merz: Was approached by someone regarding Manzanita Village a while back, possibly a consultant, didn't get a business card.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of August 7, 2008

Minutes - Adjourned Regular Meeting of August 21, 2008

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Kelley) to approve the Consent Agenda as presented. Taking into account any voting abstention(s), as a result of absence(s) from the meetings in question, final voting on each set of meeting minutes shall be recorded as follows:

Minutes of August 7, 2008

Motion passed by a vote of 5-0-1 (Barrett absent; Minasian abstained)

Minutes of August 21, 2008

Motion passed by a vote of 6-0-1 (Barrett absent)

4. PUBLIC HEARING ITEMS

- 4.1 Parcel Map 04-12 (Corrigan) 979 E. Lassen Ave., APN 007-570-008** (Noticed 12-06-08)
A request to divide a 1.16 acre parcel into four parcels for multi-family residential development at a density of 12.93 units per gross acre. All buildings and improvements were approved by Architectural Review 03-46 and are in the process of being constructed. The site is designated Medium Density Residential on the City of Chico General Plan Diagram, and is located in an R2 Medium Density Residential zoning district. This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315.9 (Minor Land Divisions). ***Planning Staff recommends that the Planning Commission adopt Resolution No. 08-22, approving the Corrigan Tentative Parcel Map (PM 04-12).***

Associate Planner Redeker presented the staff report. Chair Luvaas opened the public hearing at 6:35 p.m. Addressing the Commission was:

- **James Renfro**, The Engineering Group, representing the Applicant, spoke in favor

There being no further speakers to address the Commission, Chair Luvaas closed the public hearing at 6:38 p.m.

It was motioned (Kelley) and seconded (Merz) that the Planning Commission adopt Resolution No. 08-22, approving the Corrigan Tentative Parcel Map. Motion passed by a vote of 6-0-1 (Barrett absent)

Let the record show that Administrative Assistant Masterson left the meeting at 6:45 p.m. Associate Planner Redeker assumed the minute-taking duties for the balance of the meeting.

- 4.2 Manzanita Village (formerly Manzanita Estates) Rezone 08-03 and Subdivision 08-03, 216 Centennial Avenue, Southeast of Manzanita Avenue and Centennial Avenue, APN 018-010-135 (Leete)** (Noticed 11-26-08 and 11-29-08) - A request to develop a 23-lot subdivision on a 7.14 acre parcel with a density of 3.2 units per acre. The project site is currently outside the City Limits and Prezoned RS-20 Suburban Residential 20,000 square

foot minimum. A rezone to the R1 Low Density Residential zoning district is required to accommodate the proposed subdivision. The project will also require annexation in the City. A Mitigated Negative Declaration has been prepared for the project pursuant to the California Environmental Quality Act. The site is designated Low Density Residential on the General Plan land use diagram. ***Planning staff recommends that the Planning Commission adopt Resolution 08-21, recommending that the City Council adopt the Mitigated Negative Declaration and approve Rezone 08-03 and Tentative Subdivision Map 08-03.***

Senior Planner Zach Thomas presented the staff report. Senior Development Engineer Matt Johnson shared a power point presentation.

The Planning Commission recessed at 7:54 p.m. and reconvened at 8:04 p.m. Commissioners and staff were present as noted.

Chair Luvaas opened the public hearing at 8:05 p.m. Addressing the Commission in the following order were:

- **Bill Dinsmore**, project engineer, representing the applicant, spoke in favor
- **Brian Firth**, Land Image, project landscape architect, spoke in favor
- **Michael Schooling**, lives on Centennial, expressed lighting/drainage concerns
- **Richard Zak**, lives on Hostick, adjacent to project, expressed drainage concerns
- **Bruce Meyer**, lives on Manzanita, spoke in opposition
- **Wade Williams**, lives on Hostick, expressed traffic concerns
- **Dan Cook**, lives on Vallombrosa, expressed several areas of concern
- **Gary Hostick**, lives on Hostick, expressed concerns with traffic on Centennial
- **Robert Main**, lives on Chico Canyon Rd., expressed drainage/flooding concerns
- **Terry Horn**, lives on Chico Canyon Rd., expressed traffic/drainage concerns
- **Maureen Kirk**, Butte County Supervisor, expressed multiple concerns
- **Pete Giampaoli**, lives on Centennial, expressed concerns with proposed density
- **Mark Leiker**, lives on Centennial, expressed multiple concerns
- **Jim Mann**, Rural Consulting Associates, representing applicant, addressed some of the speakers' concerns, requests approval of project

There being no further speakers to address the Commission, the public hearing was closed at 9:08 p.m.

It was motioned (Minasian) and seconded (Brownell) that the Planning Commission approve a "motion of intent" to recommend City Council denial of the requested entitlements and deny adoption of the Mitigated Negative Declaration.

Motion passed by a vote of 5-1-1 (Kelley opposed; Barrett absent)

The Planning Commission recessed at 9:40 p.m. and reconvened at 9:45 p.m. Commissioners and staff were present as noted.

5. REGULAR AGENDA

- 5.1 Downtown Parking Standards Workshop (CA 08-02)** - In 2007, the City Council approved the Downtown Access Plan and directed staff to implement several measures to improve parking management and access in Downtown Chico. The purpose of the Commission workshop is to discuss implementation measures related to reductions in downtown parking requirements. Based on comments received, staff will prepare draft code amendments for formal consideration at a future public hearing. *Planning Staff recommends that the Planning Commission consider a public workshop and provide comments on potential modifications to downtown parking requirements, including but not limited to:*
- *Reduce parking requirements for downtown by 50%.*
 - *Amend the zoning code so that re-occupancy of an existing building in downtown with a use allowed need not provide any additional parking.*
 - *Reduce parking standards for mixed use projects or conversion of existing buildings.*
 - *Allow for further parking requirements when a project substantially promotes non-vehicular transportation or has limited impact on the neighborhood.*

Planning Services Director Steve Peterson presented the staff report. Principal Planner Mark Wolfe reviewed historical aspects and feedback received through a downtown parking charrette and other outreach efforts.

The public was invited to speak. Addressing the Commission in the following order were:

- **Mike Trolinder**, encouraged acceptance of the charrette’s work; wants focus on managed parking
- **Alan Chamberlain**, suggested increased utilization of existing parking, no parking requirement for new development, more attention to the walkable experience after leaving the car and more pedestrian amenities

It was motioned (Kelley) and seconded (Minasian) to continue the meeting until 10:30 p.m.

Motion passed by a vote of 6-0-1 (Barrett absent)

Discussion continued and culminated in a straw poll to determine Planning Commission support of reducing the minimum parking requirement. The result of the straw poll was 4-2 in favor of reducing the minimum parking requirement. Planning Services Director Peterson advised that staff would take that recommendation and return to the Commission with additional specifics as to maximums and percentages.

6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - No discussion due to time constraints.
 - 7.2 **Sustainability Task Force** - No discussion due to time constraints.
8. **ADJOURNMENT** - Chair Luvaas adjourned the meeting at 10:41 p.m. to the Adjourned Regular Meeting of January 15, 2009 at 6:30 p.m. (January 1, 2009 Regular Meeting will not be held due to New Year's holiday).

March 5, 2009
Date Approved

_____/s/
Steve Peterson
Planning Services Director