

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JANUARY 7, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Mark Sorensen

Commissioners Absent: Susan Minasian

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Roger Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

Interim Planning Services Director Wolfe called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. ELECTION OF OFFICERS

Interim Planning Services Director Wolfe opened nominations. Commissioner Sorensen nominated Commissioner Kelley for Chair. There were no further nominations. *Commissioner Kelley was elected Chair by a vote of 6-0-1 (Minasian absent) and presided over the balance of the meeting.*

Chair Kelley nominated Commissioner Brownell for Vice Chair. Commissioner Merz nominated Commissioner Barrett (Barrett declined) and Commissioner Barrett nominated Commissioner Merz (Merz declined). There were no further nominations. *Commissioner Brownell was elected Vice Chair by a vote of 6-0-1 (Minasian absent).*

3. EX PARTE COMMUNICATION

No ex parte communication was reported.

4. CONSENT AGENDA

There were no items for this Agenda.

5. PUBLIC HEARING ITEMS

Prior to commencement of Agenda Item 5.1, Commissioner Barrett stated she would recuse herself from participation. Commissioner Barrett left the Council Chambers at 6:33 p.m.

- 5.1 Meriam Park Development Agreement Amendment No. 2 and Tentative Subdivision Map Phases 1-4 and 9-10 (DA 05-02; S 09-01) (APNs: Various) (Noticed 12-26-09)** - A proposal to amend the Development Agreement between the City of Chico and Meriam Park, LLC and subdivide approximately 100 acres of the Meriam Park site into 187 lots. The proposed Agreement amendments would revise the Meriam Park Master Plan, provide for a Superior Courthouse project and county offices in the project, and modify the phasing of certain public improvements identified in the Agreement as being associated with specific stages of development in the Meriam Park project. In addition to development lots, the map would create five open space lots for public or private use (Lots A-E). 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. The proposed amendments and tentative map are within the scope of the certified Final Environmental Impact Report (FEIR) for Meriam Park. *The Interim Planning Services Director recommends that the Planning Commission hold a public hearing and adopt Resolution No. 10-01, recommending that the City Council amend Development Agreement 05-02, and approve a Vesting Tentative Subdivision Map for Meriam Park Phases 1-4 and 9-10, (S 09-01), based on the findings and subject to the conditions of approval contained therein.*

Associate Planner Mike Sawley presented the staff report. Chair Kelley opened the public hearing at 7:00 p.m. Addressing the Commission in the following order were:

- **John Anderson**, representing the applicant, spoke in favor
- **Tom DiGiovanni**, representing the applicant, spoke in favor

There being no further speakers to address the Commission, the public hearing was closed at 7:43 p.m.

It was motioned (Brownell) and seconded (Luvaas) that the Planning Commission adopt Resolution No. 10-01, recommending that the City Council amend Development Agreement 05-02, and approve a Vesting Tentative Subdivision Map for Meriam Park Phases 1-4 and 9-10, (S 09-01), based on the findings and subject to the conditions of approval contained therein.

The Commission asked questions of staff and began discussing possible additional conditions of approval and/or language changes. Throughout the course of discussion, the public hearing was re-opened and closed multiple times in order to receive feedback from representatives of the applicant (Anderson/DiGiovanni listed above) as follows:

The public hearing was re-opened at 8:20 p.m. and closed at 8:23 p.m. The public hearing was re-opened at 8:30 p.m. and closed at 8:36 p.m.

The Planning Commission recessed at 8:37 p.m. and reconvened at 8:47 p.m. Commissioners and staff were present as noted.

The public hearing was re-opened at 8:50 p.m. and closed at 8:52 p.m. The public hearing was re-opened at 8:55 p.m. and, by consensus of the Commission, remained open for the duration of discussion of Agenda Item 5.1.

With straw poll votes taken throughout deliberations, the majority of the Commission agreed to the following amendments to the motion on the floor:

- 1. Amendment No. 2 to Development Agreement, Section 3.2, Roadway Improvements, Subsection 2, Paragraph 4, second sentence amended to read: “If the City finds during the annual review that Meriam has made unacceptable progress toward improving one or more identified segments for which traffic warrants have been met, then the City ~~may~~ shall withhold issuance of any further building permits...”*
- 2. Amendment No. 2 to Development Agreement, Section 3.2 Roadway Improvements, Subsection 3, second sentence amended to read: “All such reimbursement shall be as follows: The City shall reimburse Meriam ~~up to~~ 50% of the total amount to be reimbursed upon City acceptance of the improvement.”*
- 3. Amendment No. 2 to Development Agreement, Section 3.3 Parks and Greens, first paragraph, first sentence amended to read: “Parks and greens will be provided throughout the Project in a manner which locates a park or a green within a 3-minute walk (approx. 800-900 feet) of 90% of ~~residences the parcels~~ in the Project...”*
- 4. Amendment No. 2 to Development Agreement, Section 3.3 Parks and Greens, Subsection 1, fourth and fifth sentences amended to read: “This park will be built within five years of the issuance of the first building permit for ~~the first phase of~~ the Project. A second neighborhood park (shown as Neighborhood Park “B” on Exhibit “E”) shall also be built within 10 years of the issuance of the first building permit for ~~the first phase of~~ the Project.”*

5. *Amendment No. 2 to Development Agreement, Section 3.4 Greenway and Greenway Improvements, second paragraph, second sentence, Planning staff to formulate language to clarify timing of construction of the bike path and bicycle/pedestrian bridge and include in its recommendation to Council.*

6. *As a recommendation (not a condition of project approval) Planning staff shall include, in its staff report to City Council, a recommendation that the City Council explore ways to incorporate roundabouts at major roadway intersections, such as East 20th Street at Notre Dame Boulevard, in a manner that also provides safe crossing for pedestrians and bicycles.*

The public hearing was closed at 9:25 p.m.

Vote: 5-0-1-1

Ayes: Brownell, Kelley, Luvaas, Merz, Sorensen

Absent: Minasian

Abstain: Barrett

6. REGULAR AGENDA

There were no items for this Agenda.

7. BUSINESS FROM THE FLOOR - None

8. REPORTS & COMMUNICATIONS

8.1 Planning Update - Interim Planning Services Director Wolfe reviewed a schedule of upcoming agenda items and meeting dates. As determined at its December 17, 2009 meeting, the Adjourned Regular Meeting of January 21, 2010 is cancelled.

9. ADJOURNMENT - There being no further business to come before the Commission, Chair Kelley adjourned the meeting at 9:30 p.m. to the Regular Meeting of February 4, 2010 at 6:30 p.m.

February 4, 2010
Date Approved

/s/
Mark Wolfe
Interim Planning Services Director



City of Chico
NOTICE OF CANCELLATION
of
January 21, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the January 21, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been cancelled.

The Planning Commission will meet Thursday, February 4, 2010 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant

Dated: January 14, 2010

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
FEBRUARY 4, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Roger Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
Jake Morley, Associate Planner
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION

Brownell: Visited the site; spoke with Captain McPhail and received email from Chief Maloney (both with Chico Police)
Sorensen: Visited the site

3. CONSENT AGENDA

- 3.1 Minutes** - Regular Meeting of September 3, 2009
Minutes - Adjourned Regular Meeting of September 17, 2009
Minutes - Adjourned Regular Meeting of October 15, 2009
Minutes - Regular Meeting of January 7, 2010
Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Sorensen) to approve the Consent Agenda with one correction as follows: Minutes of the Regular Meeting of September 3, 2009, page 2, Section 7.1, "HPP" shall be spelled out to read "Historic Preservation Program."

Taking voting abstentions into account, as a result of absence(s) from the meetings in question, final voting on meeting minutes shall be recorded as follows:

Minutes of September 3, 2009

Approved by a vote of 5-0-0-2 (Brownell, Luvaas abstained)

Minutes of September 17, 2009

Approved by a vote of 6-0-0-1 (Barrett abstained)

Minutes of October 15, 2009

Approved by a vote of 5-0-0-2 (Luvaas, Merz abstained)

Minutes of January 7, 2010

Approved by a vote of 6-0-0-1 (Minasian abstained)

4. PUBLIC HEARING ITEMS

- 4.1 Planned Development Permit 09-01 (O'Bannon) 1267 North Cedar Street, APN 043-141-006** (Noticed 01-23-10) - A request to reduce the rear yard setback from 15 feet to 7.5 feet and to reduce landscaping coverage from 40 percent to 38 percent. The reductions would allow construction of a new dwelling unit and site improvements on a site presently developed with one duplex. The site is designated Medium Density on the General Plan diagram and is located in the R2 Medium Density Residential zoning district. The project has been determined to be categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15332 (In-Fill Development). *Planning staff recommends that the Planning Commission adopt Resolution No. 10-02, approving Planned Development Permit 09-01 (O'Bannon), subject to the conditions of approval contained therein.*

Associate Planner Jake Morley presented the staff report. Chair Kelley opened the public hearing at 6:35 p.m. Addressing the Commission in the following order were:

- **John Anderson**, representing the applicant, spoke in favor, and answered questions from the Commission

There being no further speakers to address the Commission, the public hearing was closed at 6:50 p.m.

It was motioned (Brownell) and seconded (Barrett) that the Planning Commission adopt Resolution No. 10-02 approving Planned Development Permit 09-01 (O'Bannon), subject to the conditions of approval therein and with modifications/additions to the conditions of approval as follows:

1. *Resolution 10-02 (Attachment B), page 2, Section 1.E. shall be amended to read: The Project has a sufficiently sized driveway to accommodate emergency vehicle access. Trash and recycling facilities will be provided. Water and other public utilities are available.*

2. *Recommended Conditions of Approval (Exhibit I to Resolution 10-02), are modified as follows:*
 - A. *Condition No. 3 is amended to read: “Prior to issuance of building permits, the site plan shall be modified to include ~~a large patio an~~ area sufficient in size to accommodate ~~an~~ inverted “U” bicycle stall while maintaining adequate area for tenants to exit the structure.”*

 - B. *Condition No. 4 is amended to read: “Prior to issuance of building permits, the applicant shall work with Planning Services Department and Building and Development Services Department to modify the building plans to include a path of travel from the ~~front patio parking area~~ to the rear patio. ~~Materials for t~~The path may be constructed out of stepping stones, crushed granite, or other pervious materials.”*

 - C. *Condition No. 7 is added and shall read: “Final landscape and irrigation plans for this project shall be submitted along with building permit applications, and shall address the existing landscape area on the north side of the driveway constructed as part of the existing duplex. If all landscaping required of that project for this area has been installed, this shall be noted on the plans. If said landscaping has not been installed, the landscape and irrigation plan shall provide for landscaping of this area to match that required of this project.”*

Vote: 6-1

Ayes: Barrett, Kelley, Luvaas, Merz, Minasian, Sorensen

Noes: Brownell

6. **REGULAR AGENDA**

There were no items for this Agenda.

7. **BUSINESS FROM THE FLOOR**

Commissioner Merz requested progress/status updates from staff on the following projects: Mountain Vista/Sycamore Glen and Chico Volkswagen.

8. REPORTS & COMMUNICATIONS

8.1 Planning Update - Interim Planning Services Director Wolfe reviewed a schedule of upcoming agenda items and meeting dates, indicating that the Adjourned Regular Meeting of February 18, 2010 is cancelled and it is likely that the March 18, 2010 meeting will not be needed.

8.2 Sustainability Task Force Update - Commissioner Luvaas provided an overview of the Task Force's meeting of February 1, 2010 and shared a related handout.

8.3 Enforcement of Mitigation Measures and Conditions - Assistant City Attorney Roger Wilson answered questions and provided clarification on his memorandum to the Commission dated January 20, 2010.

9. ADJOURNMENT - There being no further business to come before the Planning Commission, Chair Kelley adjourned the meeting at 7:38 p.m. to the Regular Meeting of March 4, 2010 at 6:30 p.m.

March 4, 2010
Date Approved

/s/
Karen Masterson
Administrative Assistant



City of Chico
NOTICE OF CANCELLATION
of
February 18, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the February 18, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been cancelled.

The Planning Commission will meet Thursday, March 4, 2010 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: February 12, 2010

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MARCH 4, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

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

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of February 4, 2010

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Merz) to approve the Consent Agenda, as presented, without corrections.

Motion passed by an unanimous vote of 7-0

It was announced that the Regular Agenda would be heard prior to the Public Hearing Agenda.

5.0 REGULAR AGENDA

5.1 Chico 2030 General Plan Update - Upcoming Schedule - The Draft 2030 General Plan is to be released on March 31, 2010. Since Council and the Planning Commission provided policy direction at two work sessions in April and May 2009, the General Plan Team has

been developing, reviewing, and refining the draft policy, environmental, and fiscal documents. This staff report provides a proposed schedule for public input and Council and Planning Commission discussion of the General Plan and supporting environmental and fiscal documents. ***Planning staff recommends that the Planning Commission accept the General Plan Update schedule and direct any questions to staff.***

Principal Planner Brendan Vieg presented the staff report. The schedule of upcoming joint meetings of Council and Commission was fine-tuned at the March 2, 2010 meeting of Council. The Commission's attention was directed to a hand-out of the final meeting schedule.

4. PUBLIC HEARING ITEMS

- 4.1 Amendment to Title 19 of the Chico Municipal Code - Rezone 09-01 (OgdenRoemerWilkerson) (Noticed 02-22-10)** - A proposal to amend **Table 4-6 - Allowed Uses and Permit Requirements for Commercial Zoning Districts** of Section 19.44.020 of the Chico Municipal Code to allow drive-in and drive-through services for banks and financial institutions in the CN Neighborhood Commercial zoning district, subject to issuance of a use permit. Drive-through sales (such as fast-food restaurants) would continue to be prohibited in the CN zoning district. 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 environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3), (General Rule Exemption). ***Planning staff recommends that the Planning Commission find that the proposed amendment is consistent with the General Plan, and recommend City Council adoption of the amendment.***

Associate Planner Greg Redeker presented the staff report. Chair Kelley opened the public hearing at 6:45 p.m. Addressing the Commission in the following order were:

- **David Wilkerson**, representing the applicant, spoke in favor
- **Steven Erb**, Senior VP, PremierWest Bank, spoke in favor
- **Steve Carroll**, one of the subject property owners, spoke in favor
- **Stephanie Taber**, citizen, expressed concern

There being no further speakers to address the Commission, the public hearing was closed at 6:58 p.m.

It was motioned (Brownell) and seconded (Barrett) that the Planning Commission adopt Resolution 10-03, recommending City Council adoption of the amendment to Chapter 19.44 of the Chico Municipal Code, as set forth therein, and with the following modifications:

1. *Amend the Resolution language so that it applies only to “banks,” striking language (including any footnotes) referring to “financial services.”*
2. *Use permit applications for proposed drive-through(s) in the CN (Neighborhood Commercial) zoning district shall be considered and acted upon by the Planning Commission rather than the Zoning Administrator.*

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

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

7. **REPORTS & COMMUNICATIONS**

- 7.1 **Planning Update** - Interim Planning Services Director Wolfe reviewed a schedule of upcoming agenda items and meeting dates. The April 15, 2010 meeting of the Commission will be cancelled. Chair Kelley requested the Commission review possible elimination of the July 15 and August 5 meeting dates to accommodate the General Plan Update meeting schedule and allow time for vacations. Formation of a subcommittee to work on “standard conditions” will be on the next agenda.
- 7.2 **Project Status Update: Mountain Vista/Sycamore Glen and Chico Volkswagen** - The Commission’s attention was directed to the report provided in their packets.
- 7.3 **Sustainability Task Force Update** - Commissioner Luvaas reported on the Task Force’s meeting of March 1, 2010. Due to limited resources and the loss of an intern, the Climate Action Plan is not moving along as fast as the Task Force had hoped (maybe mid-April).
- 7.4 **Communication** - An informational article provided by Commissioner Brownell was noted.
8. **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 7:28 p.m. to the Regular Meeting of April 1, 2010 at 6:30 p.m.

April 1, 2010
Date Approved

_____/s/_____
Karen Masterson
Administrative Assistant



City of Chico
NOTICE OF CANCELLATION
of
March 18, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the March 18, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been cancelled.

The Planning Commission will meet Thursday, April 1, 2010 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant

Dated: March 12, 2010

Distribution:

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
APRIL 1, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Roger Wilson, Assistant City Attorney
Matt Johnson, Senior Development Engineer
James Coles, Housing Manager
Greg Redeker, Associate Planner
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION

With respect to Public Hearing Agenda Item 4.1 (PM/PDP 09-01, Scardina), Commissioners Merz and Sorensen visited the site; Commissioner Brownell sees the site each day due to path of travel.

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of November 5, 2009

Minutes - Regular Meeting of March 4, 2010

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Merz) to approve the Consent Agenda, as presented, without corrections.

Motion passed unanimously by a vote of 7-0

4. PUBLIC HEARING ITEMS

- 4.1 Parcel Map/Planned Development Permit 09-01 (Scardina) 1901 Magnolia Avenue, APN 003-613-006** (*Noticed 03-22-10*) - A request to subdivide a 0.21-acre site into two lots for single-family residential development. Each proposed lot will have dimensions of 30' x 150'. The narrow lot width and certain other design features require approval of a Planned Development Permit. The property is designated Low Density Residential on the General Plan diagram and is located in an R1/SD-4 (Low Density Residential with Special Design Considerations Area #4 overlay) zoning district. The project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects). *Planning staff recommends that the Planning Commission adopt Resolution No. 10-04, approving the Scardina Tentative Parcel Map/Planned Development Permit (PM/PDP 09-01).*

Associate Planner Greg Redeker presented the staff report. Staff answered questions from the Commissioners. Chair Kelley opened the public hearing at 6:52 p.m. Addressing the Commission in the following order were:

- **John Anderson**, representing the Applicant, spoke in favor
- **Ashley Gebb**, resident on Magnolia, supports the project; has some concerns

There being no further speakers, the public hearing was closed at 7:17 p.m. Additional questions from the Commission were answered by staff during deliberation.

It was motioned (Luvaas) and seconded (Barrett) that the Planning Commission adopt Resolution No. 10-04, approving the Scardina Tentative Parcel Map/Planned Development Permit (PM/PDP 09-01), based on the required findings and subject to the conditions of approval contained therein, with additions and/or modifications as follows:

- 1) *Staff will formulate an additional condition of approval requiring a preconstruction survey for migratory bird and raptor nests, including steps to be taken should active nests be found. If preconstruction activity, including tree removal, occurs outside the breeding period, a nest survey will not be necessary.*
- 2) *Exhibit I, Conditions of Approval, Page 2; delete Item 10.E. in its entirety: “HVAC condensers may encroach into the normal side yard setback.”*
- 3) *Exhibit III-3, Landscape Plan; the concrete patios labeled as Note 1 shall be pervious material.*



City of Chico
NOTICE OF CANCELLATION
of
April 15, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the April 15, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been cancelled.

The Planning Commission will meet Thursday, May 6, 2010 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: April 9, 2010

Distribution:

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
MAY 6, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Matt Johnson, Senior Development Engineer
Greg Redeker, Associate Planner
Karen Masterson, Administrative Assistant

Staff Member Absent: Roger Wilson, Assistant City Attorney

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

**3.1 Minutes - Adjourned Regular Meeting of December 17, 2009
Requested Action: Approve the minutes, with corrections, if any.**

It was motioned (Luvaas) and seconded (Brownell) to approve the Consent Agenda, as presented, without corrections.

Motion passed by a vote of 6-0-0-1 (Merz abstained due to absence 12/17/09)

4. PUBLIC HEARING ITEMS

4.1 Amendments to Titles 2 and 19 of the Chico Municipal Code Pertaining to Historic Preservation - A-C-ST-6.3 (City of Chico) (Noticed 04-26-10) - A proposal to amend Title 2 to establish a new Architectural Review and Historic Preservation Board and to amend Title 19 to establish an historic preservation ordinance. The Commission will conduct a public hearing and make a recommendation to City Council. The 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. *As a result of a schedule conflict preventing the Assistant City Attorney from attending this meeting, Planning staff recommends continuance of this item to the Planning Commission's Regular Meeting of June 3, 2010.*

It was motioned (Sorensen) and seconded (Barrett) to continue Public Hearing Agenda Item 4.1 (Amendments to Titles 2 and 19 of the Chico Municipal Code Pertaining to Historic Preservation) to the Regular Meeting of the Planning Commission on June 3, 2010.

Motion passed unanimously by a vote of 7-0

- 4.2 Development Agreement 10-01 and Architectural Review 10-04 (Stone Building Corporation) 1197 E. 8th Street and 1190 E. 9th Street; APNs 004-331-004 and 004-331-014 (Noticed 04-26-10)** - A request to re-approve the development agreement and architectural review for the Bidwell Park Apartments, a 38-unit multi-family affordable housing project. This project was previously approved by the City Council on March 18, 2008, but that approval expired on December 1, 2009. No changes to the project or the previous conditions of approval are proposed. The Planning Commission will make a recommendation to the City Council, which will take final action on the request. The property is designated Medium-High Density Residential on the General Plan diagram, and is located in an R3 Medium-High Density Residential zoning district. Because this project is within the scope of a mitigated negative declaration (State Clearinghouse No. 20077082101) previously adopted by the Chico Redevelopment Agency on November 6, 2007, no additional environmental review is required pursuant to Section 15162 of the California Environmental Quality Act Guidelines. *Planning staff recommends that the Planning Commission adopt Resolution Nos. 10-05 and 10-06, recommending City Council approval of the development agreement and architectural review, respectively, for the Bidwell Park Apartments Affordable Housing Project.*

Associate Planner Greg Redeker presented the staff report. Chair Kelley opened the public hearing at 6:45 p.m. Addressing the Commission was:

- **Gregg Stone**, Applicant, spoke in favor

There being no further speakers, the public hearing was closed at 6:50 p.m.

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 10-05, recommending City Council approval of the development agreement for the Bidwell Park Apartments Affordable Housing Project, with the following amendment proposed by Commissioner Merz:

- 1) *Eliminate the density bonus (as described in Resolution 10-05, Section 1.B.) from the proposed Development Agreement.*

Motion, as amended, failed by a vote of 2-5

Ayes: Merz, Sorensen

Noes: Barrett, Brownell, Kelley, Luvaas, Minasian

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 10-05, recommending City Council approval of the development agreement for the Bidwell Park Apartments Affordable Housing Project, as presented, without modification.

Motion passed by a vote of 5-2

Ayes: Barrett, Brownell, Kelley, Luvaas, Minasian

Noes: Merz, Sorensen

It was motioned (Brownell) and seconded (Kelley) that the Planning Commission adopt Resolution No. 10-6, recommending City Council approval of the architectural review for the Bidwell Park Apartments Affordable Housing Project, as presented, without modification.

Motion passed by a vote of 7-0

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
- 7.1 **Planning Update** - Interim Planning Services Director Wolfe provided an update on department activities and reviewed a calendar of upcoming meetings/events.
- 7.2 **Ad-Hoc Downtown Committee** - Commissioner Merz reported on the April 29, 2010 meeting of the Ad-Hoc Downtown Committee.
- 7.3 **General Plan Advisory Committee** - Chair Kelley reported on the May 5, 2010 meeting of the General Plan Advisory Committee.
- 7.4 **Standard Conditions Subcommittee** - Commissioner Luvaas reported on the two meetings of the Standard Conditions Subcommittee that he and Commissioner Minasian attended with Senior Planner Thomas and Senior Development Engineer Johnson. A recommendation is expected to come before the Commission in July.

- 7.5** **Sustainability Task Force Update** - Commissioner Luvaas reported on the two April meetings of the Sustainability Task Force, one regular meeting and one with the General Plan project team.
- 7.6** **Communication:** A memorandum from City Housing Manager James Coles regarding the City's First Time Homebuyer Program dated April 2, 2010 was acknowledged.
- 8.** **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 7:37 p.m. to the joint meeting of the Planning Commission and City Council scheduled on May 11, 2010 at 6:00 p.m.

June 3, 2010
Date Approved

_____/s/_____
Karen Masterson
Administrative Assistant

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — May 11, 2010
Minutes

- 1.1. JOINT CITY COUNCIL/PLANNING COMMISSION MEETING - 6:00 p.m.
- 1.2. Call to Order - Mayor Schwab called the May 11, 2010 - Adjourned Regular Joint City Council and Planning Commission meeting to order at 6:00 p.m. in the Council Chamber, 421 Main Street.
- 1.3. Flag Salute
- 1.4. Roll Call

City Council:

Present: Flynn, Gruendl, Holcombe, Wahl, Walker, Schwab
Absent: Nickel

Planning Commission:

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

2. REGULAR AGENDA
- 2.1. CHICO 2030 GENERAL PLAN UPDATE - DRAFT GENERAL PLAN INTRODUCTION

At this meeting, the City Council and Planning Commission was introduced to the draft 2030 General Plan. Staff described how the document was developed, summarized each element in the Plan, and provided a strategy for how to move forward with input and revisions.

This meeting was the first in a series of five joint Council/Commission meetings that will take place monthly through the summer and early fall. In these meetings, the individual elements will be presented, the community will have an opportunity to provide input, and the Council and Commission will provide direction that is critical to finalizing the General Plan for adoption.

In its final form, the Chico 2030 General Plan will represent a statement of community priorities to guide public decision-making and to focus the use of City resources. (Report - Brendan Vieg, Principal Planner)

The Council and Planning Commission recessed for a ten minute break at 7:20 p.m. The meeting was reconvened and all members of both bodies were present.

Mayor Schwab opened the discussion to public input. None was received and the public input portion regarding this item was closed.

Direction was provided to staff by both the members of the Council and Planning Commission. No action was required or taken at this meeting.

3. BUSINESS FROM THE FLOOR - None

4. ADJOURNMENT

The meeting was adjourned at 8:25 p.m. to May 18, 2010 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: 6/01/10 - DRP


Deborah R. Presson, City Clerk



City of Chico
NOTICE OF CANCELLATION
of
May 20, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the May 20, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been cancelled.

The Planning Commission will meet Thursday, June 3, 2010 for a regular meeting in the City Council Chambers, Chico Municipal Center, 421 Main Street.

By: Karen Masterson, Administrative Assistant
Dated: May 14, 2010

Distribution:

Planning Commission (7)
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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JUNE 3, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Mark Sorensen

Commissioners Absent: Susan Minasian

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

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION

Commissioners Merz and Sorensen drove by the proposed cell tower site (AT&T/UP 10-12).

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of May 6, 2010

Requested Action: Approve the minutes, with corrections, if any.

*It was motioned (Brownell) and seconded (Sorensen) to approve the
Consent Agenda, as presented, without corrections.*

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

4. PUBLIC HEARING ITEMS

4.1 Use Permit 10-12 (AT&T) 3042 Esplanade, APN 006-380-001 (Noticed 05-22-10) - A request to construct a flagpole cell tower on a portion of the Executive Homes site on the east side of the Esplanade, north of Shasta Avenue. The 3-acre site is designated Community

Commercial on the General Plan diagram and is located in the D overflight zone for the Chico Municipal Airport. This project is categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15303, (New Construction or Conversion of Small Structures). ***Planning staff recommends that the Planning Commission adopt Resolution No. 10-08, approving Use Permit 10-12 (AT&T), based on the required findings and subject to the conditions contained therein.***

Associate Planner Greg Redeker presented the staff report and responded to questions asked by the Commission. Chair Kelley opened the public hearing at 6:47 p.m. Addressing the Commission in the following order were:

- **Frank Schabarum**, Representing the applicant, spoke in favor
- **Betty Wells**, spoke in opposition
- **Evelyn Liptrap**, expressed concern
- **Deedra Coleman**, resident near proposed site, expressed multiple concerns
- **Kimberly Deeds**, expressed concern
- **Amy Mix**, resident near proposed site, expressed multiple concerns
- **Kathleen Leveroni**, property owner of proposed project site, spoke in favor
- **Frank Schabarum**, Representing the applicant, responded to comments

There being no further speakers, the public hearing was closed at 7:27 p.m.

It was motioned (Kelley) and seconded (Brownell) not to adopt Resolution No. 10-08, thereby constituting a motion of intent to deny Use Permit application 10-12 (AT&T), based on the following findings:

- 1) The proposed cell tower is too close to residential property***
- 2) The proposed cell tower is incompatible with the adjacent residential properties***
- 3) The proposed cell tower is excessively close to highly visible Esplanade***
- 4) The proposed cell tower will add to urban blight in the area***
- 5) Third party review concluded the entire area currently has sufficient coverage***

Motion of intent to deny passed by a vote of 5-1-1 (Sorensen opposed; Minasian absent)

Staff indicated that they would prepare a new resolution to formally deny the project, to be placed on the Consent Agenda of the Regular Meeting of the Commission on July 1, 2010.

The Planning Commission recessed at 7:45 p.m. and reconvened at 8:00 p.m. Commissioners and staff were present as noted.

4.2 Amendments to Titles 2 and 19 of the Chico Municipal Code Pertaining to Historic Preservation - A-C-ST-6.3 (City of Chico) (Noticed 04-26-10; Continued from 05-06-10; Re-noticed 05-18-10) - A public hearing to discuss proposed amendments to Title 2 to establish a new Architectural Review and Historic Preservation Board and proposed amendments to Title 19 to establish an historic preservation ordinance. The Commission will conduct a public hearing and made a recommendation to City Council. The 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 10-07 recommending that the City Council adopt an ordinance amending Chapter 2.56 and Title 19 of the Chico Municipal Code regarding historic preservation.*

Senior Planner Bob Summerville presented the staff report. Chair Kelley opened the public hearing at 8:42 p.m. Addressing the Commission in the following order were:

- **Doug Imhoff**, Woodland Avenue resident, objects to lack of owner opt-out
- **Evelyn Liptrap**, Flume Street resident, objects to lack of owner opt-out
- **Greg Strong**, 5th & Poplar resident, primarily in favor, asked about solar
- **Mike Trolinder**, consultant, expressed concerns regarding fee to owner
- **Mike Magliari**, CSUC, Chico Heritage Board member, spoke in favor
- **Dale Bennett**, commercial property perspective, expressed concerns
- **Tom Batterton**, owner Matador Motel, expressed concern
- **Paul Lieberum**, south Salem resident/architect, spoke in favor
- **Nancy Ostrom**, Avenues resident/board member, GPAC member, spoke in favor
- **Lucy Sperlin**, President, Chico Heritage Association, spoke in favor
- **Nan Jones**, Normal Avenue resident, objects to lack of owner opt-out
- **Carl Nelson**, Oleander resident, concerned with erosion of property rights
- **Art Lemner**, downtown resident, spoke in favor, but would like to see owner opt-out

There being no further speakers, the public hearing was closed at 9:34 p.m.

The Planning Commission recessed at 9:35 p.m. and reconvened at 9:45 p.m. Commissioners and staff were present as noted.

Commissioners individually provided language change suggestions and general feedback on the draft ordinance for staff as follows:

Luvaas

- 1) Page 3, Suggest eliminating Subsection B. as follows: “~~Members of the architectural review and historic preservation board who, prior to January 1, 1987, were appointed~~

~~to a four-year term which was to end on June 10, 1987, shall nevertheless, have their terms end at 7:30 p.m. on January 1, 1987, and members of the architectural review and historic preservation board who, prior to January 1, 1987, were appointed to a four-year term which was to end on June 10, 1989, shall, nevertheless, have their terms end at 7:30 p.m. on January 1, 1989."~~

- 2) Page 4, Look at changing possibility of being able to appeal to Council; on Line 8, strike reference to "park commission" as follows: "...herein for appeals from the actions of the architectural review and historic preservation board, except in the case of the airport ~~and park~~ commissions which shall make the final determination as to the architectural design of facilities constructed upon property under their control."
- 3) Page 6, Method of providing public notice; suggest adding site design and architectural review; would like to see neighbors be notified; five days prior to the hearing is not an adequate length of time.
- 4) Page 22, Initiation of designation process; Line 3, suggest clarifying that the Council can act whether the recommendation of the board is positive or negative.
- 5) Page 23, Subsection C.2. at Line 10; Suggest adding "at least one of" as follows: "Should the Director determine that the resource substantially meets *at least one of* the eligibility criteria specified..."

The Commission agreed to extend the meeting until 10:30 p.m.

Merz

- 6) Page 2, Subsection A, Regular Members, at Line 7; Question whether or not more than five members may be needed.
- 7) Page 16, Subsection E, Landmark Overlay Zone, at Line 11; Suggest changing "may" to "shall" as follows: "Any deviation from the development standards necessary to ensure retention of the historical attributes of a structure or building ~~may~~ *shall* be made pursuant to Chapter 19.37 of this code." Senior Planner Summerville explained that "shall" would not allow for any discretion by the Director. Further, this ties in to Section 19.37.140 (Page 28) Incentives for maintenance or development of landmark property, Subsection A. Modification of Development Standards.
- 8) Page 22, Section 19.37.050, Initiation of designation process. Only three parties can initiate; how does the general public get involved? More clarification is needed.
- 9) Page 24, Public Hearing Process, at Line 14; Suggest deleting "or deletion from" as follows: "Adoption of any listing on, ~~or deletion from~~, the Historic Resources Inventory shall be made by resolution containing findings of fact based upon the

significance criteria established by Section 19.37.040.” (Removal from the Inventory is addressed in Section 19.37.080.)

- 10) Page 27, Exemptions, Subsection A.3, at Line 3; “Window or door replacement...” Suggest additional language to provide clarification.

Sorensen

- 11) Page 17, Definitions, Subsection A (Alterations) and Page 25, Certificate of appropriateness and certificate of demolition, Subsection C. (Findings); Suggest clarification as to limitation of exterior alteration(s).
- 12) General feedback: Concerned with involuntary inclusion and inability to opt-out.
- 13) General feedback: Concerned with cost to property owner, especially in the case of a minor alteration. Clarify if and when a consultant review is required.
- 14) General feedback: At what point would it be more economically feasible to either demolish or restore a building? View as a potential barrier, another layer of bureaucracy, cost, unpredictability. Once applied (the HPO) it may be virtually impossible to have multiple story mixed-use development come to reality.
- 15) General feedback: Suggest using caution regarding property values increasing in areas where HPO’s have been implemented because many factors influence values.
- 16) General feedback: Concerned with added cost to City operations; how will the ordinance pay for itself?

Brownell

- 17) General feedback: Reinforce mentioning incentives such as the Façade Remodel Program and Mills Contract opportunities.

Barrett

- 18) General feedback: Reservations about inability to opt-out. Concerned that this may be a burden on some property owners; we need to see how that can be addressed.

Kelley

- 19) Page 2, Composition, Subsection A (Regular members), at Line 9, “...are practicing professionals...” Clarify how we are defining “professional.”

- 20) Page 26, Exemptions; Suggest expanding the list of items for clarification, e.g. swamp coolers.
- 21) General Feedback: Share other Commissioners' concern with property owner inability to opt-out. Want to be sure "due process" has not be violated.

It was motioned (Luvaas) and seconded (Sorensen) to continue this item to the Planning Commission's next Regular Meeting on July 1, 2010.

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

Chair Kelley re-confirmed that the public hearing portion of this agenda item is closed.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Interim Planning Services Director Wolfe provided an update on department activities and reviewed a calendar of upcoming meetings/events. Commissioner Merz asked staff to check the status of Butte County's General Plan Update and report back to the Commission.
 - 7.2 **General Plan Advisory Committee** - Chair Kelley reported on the May 26, 2010 meeting of the General Plan Advisory Committee.
8. **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 10:37 p.m. to the joint meeting of the Planning Commission and City Council scheduled on June 22, 2010 at 2:00 p.m.

July 1, 2010
Date Approved

_____/s/_____
Karen Masterson
Administrative Assistant



City of Chico
NOTICE OF CANCELLATION
of
June 17, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the June 17, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Tuesday, June 22, 2010 for a joint meeting with Chico City Council in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: June 10, 2010

Distribution:

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ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — June 22, 2010
Minutes

1.1. JOINT CITY COUNCIL/PLANNING COMMISSION MEETING

1.2. Call to Order - Mayor Schwab called the June 22, 2010 - Adjourned Regular Joint Council and Planning Commission to order at 2:00 p.m. in the Council Chamber, 421 Main Street.

1.3. Flag Salute

1.4. Roll Call

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

Absent: None

Planning Commission

Present: Brownell, Luvaas, Merz, Minasian, Sorensen, Kelley

Absent: Barrett

2. REGULAR AGENDA

2.1. CHICO 2030 GENERAL PLAN UPDATE - ELEMENT REVIEW

At this meeting the City Council and Planning Commission reviewed the Introduction, Land Use Element, and Sustainability Element of the draft 2030 General Plan. This is the second in a series of five special joint Council/Commission meetings on the draft 2030 General Plan that has and will continue to take place monthly through the summer and into the fall. Staff provided an overview of key sustainability and land use topics and summarize public feedback received on the two elements. Members of the community had an opportunity to provide input, and the Council and Commission provided direction on suggested modifications or additions. Council direction and public input at this stage will continue to help refine and improve the Plan as it moves toward final adoption in 2011. (Report - Brendan Vieg, Principal Planner)

Introduction Chapter Discussion

This study session was held for the continued consideration of the Draft General Plan. Topics included an overview of the: 1) Introduction Chapter; 2) Sustainability Element; and 3) Land Use Element.

It was noted by staff that in the context of a General Plan, when making decisions, goals and policies should be examined comprehensively, not individually. Some policies and actions are mandatory, and other policies and actions are intentionally flexible.

Mayor Schwab opened the floor for public input. Addressing the Council and Planning Commission on the proposed Introduction Chapter of the Draft 2030 General Plan was:

Robin Huffman - opposes the sphere of influence as defined in the proposed Draft 2030 General Plan.

Following public input, members of the Council and Planning Commission provided staff with suggested changes for the Draft 2030 General Plan Introduction Chapter.

Sustainability Element Discussion

Staff presented an overview of the five proposed changes or requests in the Sustainability Element for the Council and Planning Commission's consideration. These changes pertained to: 1) a clearer definition of "social equity" with all three components added to the glossary; 2) expansion of the compost facilities and services in the Parks, Public Facilities and Services Element to be discussed on August 21; 3) concern that there was too little emphasis on economy, although staff noted for the record that while there is a separate Economic Development Element, additional cross references will be made between the correlating elements; 4) a request for stronger language in this element; and 5) a Title 19 update could include a change in regulations that would reduce the permitting burden for small animal keeping.

Mayor Schwab opened the floor for public input. Addressing the Council and Planning Commission regarding the Sustainability Element were:

Alec Bingham - appreciates the City's sustainability efforts, would like to see less restrictions pertaining to the keeping of chickens, and does like the local energy idea;

Jeremy Miller - supports changing the regulations pertaining to the keeping of chickens and supports including stronger language in the General Plan;

Grace Marvin - wants to show her support for Robin Huffman's recent letter regarding the sustainability element, is concerned that "fresh water" sustainability is missing from the component, and that Chico should know more about what economic sustainability looks like in the Plan because not all economic development is sustainable;

Robin Huffman - believes that "equity" should be kept in the statement, believes that the General Plan should perhaps be extended from 2030 to actually 2100 in order to have a longer term in the Plan, economic development should be cross referenced with the other elements, and that the loss of water should be addressed in this element;

Nancy Browning - would like additional clarification on how Chico defines sustainability;

Bob Kromer - believes that the plan underplays the economic impact of this element, feels that a vibrant economy drives the ability to implement the Plan, and wonders how the City will monitor, measure, or adjust for future changes, and what funding will be used for the implementation;

Bill Brouhard - spoke regarding his letter pertaining to the land use element, sustainability incentives, the idea of large scale planning being processed between a joint meeting between both the Planning Commission and Council which further streamlines the process, encouraged the development of incentives for small wastewater systems, believes additional economic indicators are needed, and that while the Chamber and CEPSCO support the current sustainability definition, it should be endorsed by the whole community;

Debbie Villasenor - glad that a sustainability section is going to be included in the General Plan, does support changing the permitting process for chickens and would ask that it also include goats and sheep as well, feels that the General Plan should have more emphasis on transportation which she believes is missing from the Sustainability section, and asks that Neighborhood Plans be included in the General Plan;

Bob Odland - Draft General Plan 2030 Sustainability goals are not user friendly, "social equity"

should be removed from the three legged stool because it is not broad enough, and should integrate the Sustainability Element in with the other elements;

Quentin Colgan - believes a Municipal Power Plant should be pursued by the City and that all new home construction carry a solar installation requirement with only local developers being allowed to build in Chico;

Karen Laslo - believes that home composting programs should be included in the General Plan so that citizens can work towards becoming more self sufficient which would be more helpful for future generations;

Martin Mayer - supports the change in the permitting process for chickens;

Luke Andersen - believes that the conversation shouldn't be about economic development versus sustainability;

Emily Alma - incentives could be developed to encourage onsite solar remodels for existing housing stock;

Jay Gallagher - wants to keep "equity" in the sustainability statement;

Lee Altier - social sustainability needs to be a broader definition and used as a guide for how the City develops;

The Council and Planning Commission recessed at 4:00 p.m. for a 15 minute break. The meeting reconvened and all members were present.

Following the break, members of Council and the Planning Commission provided suggested changes to staff regarding the Sustainability Element. Staff will work with the suggestions to see how to include them in the draft Plan which will be brought back to the Council for final review.

Land Use Element Discussion

Staff indicated that the Land Use Element provides the policy basis for decisions about where and how the City will grow and change over time. At the May 11, 2010 meeting, the project team provided a general overview of the Land Use Element. Based on the comments received by Council and the Planning Commission at that meeting, additional comments from the May 5, 2010 GPAC meeting, and comment letters from the public, staff provided an overview of proposed revisions to five policy areas as follows: 1) Residential Infill; 2) Airport Compatibility; 3) Resource Constraint Overlay; 4) Special Planning Areas; and 5) Norlie Land Use Designation Change Request.

The Council and Planning Commission recessed for a 30-minute break at 5:45 p.m. The meeting reconvened and all members were present.

Mayor Schwab opened the floor for public input. Addressing the Council regarding the Land Use Element were:

Bruce Norlie - encouraged Council to approve his land use designation change request from a medium density residential designation to an office designation which would be compatible with the office uses on the opposite side of Cohasset Road. He believes his request is reasonable and would provide an opportunity for infill;

Grace Marvin - wants Council to require infill to happen prior to ever looking at the expanded planning areas and then only when City services can be easily supplied, believes that Council should direct future growth to the Oroville area which needs additional population, expand agricultural buffers to 300 ft., and include public art as a component of required streetscape policies;

Robin Huffman - has concerns that the City has become dependent on growth and asked Council to consider treating the City as totally built out and constrained now as opposed to using the five additional planning areas in the future which she believes are very special areas;

Bob Kromer - believes Council should adjust the Greenline so it actually serves as a buffer;

Bill Brouhard - would ask that the Council consider the suggested modifications contained in the Chamber letter and matrix;

Debbie Villasenor - opposes the high density planned for the Diamond Match area as well as anything to do with the Otterson Drive Extension, and feels that public transportation needs to be a priority;

Karen Laslo - wants to protect the agricultural land and to make sure that the Greenline stays intact and is opposed to moving the line for the Estes property because that land has great soil for agricultural purposes;

Emily Alma - believes that the proposed Barber Yard project would not be consistent with the older homes in the existing neighborhood and would greatly impact the traffic in this area, and urged Council to allow the existing neighborhood to be part of the decision when this project comes forward;

Elizabeth Devereaux - believes that more housing set aside is needed;

Lee Altier - wants to see the agricultural lands saved and to try to mitigate any further losses in this area;

Caroline Burkett - believes that the emphasis should be on compact urban form and doesn't believe that the City should expand its sphere of influence;

Randy Abbott - wants to know why a change was made to the overlay zone for Bidwell Park;

Katrina Djberot - wants the Council to protect the Greenline;

Pamela Posey - doesn't support development in the Doe Mill area nor approves of the Schuster project;

Duke Warren - supports moving the Estes property into the special planning area;

Jim Stevens - supports the Estes property being included in the special planning area;

David Gallo - supports moving the Estes property into the special planning area;

Mike Pickering - wants the Council to protect the Greenline;

Quentin Colgan - believes that solar requirements should be mandated by the new General Plan and that a redesign of our railroad system should occur and be paid for by the RDA;

Lucia Pinotti - opposes the proposed move of the Estes property into the special planning area;

Mark Herrera - opposes moving the Greenline;

Ari Frankel - wants the Council to look for ways to encourage sustainability, with low interest loans or incentives that could offset the costs of the upgrades;

Bruce Balgooyen - opposes the Estes property moving to the special planning area resulting in a change in the Greenline;

Pete Peterson - opposes the developing of the Bell Muir area;

Thomas Wahl - is concerned about the 100 ft. setback, with Chico Creek having already been eroded and the City is not taking care of the issue, 5-Mile is not designed well, and that there should not be any development in the Butte Creek area;

Matthew Christopher - wants to keep the Greenline intact;

Jami Byers - wants the Council to develop a Hazard Mitigation Plan for the City;

Larry Jones - asks that the Council hold the Greenline in the Bell Muir area; and

Suzanne Morlock - wants Council to protect the Greenline and feels that if infill is allowed in the Bell Muir area, it will cause traffic, noise, and the need for law enforcement.

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

Following public input and Council/Commission discussion, the Council and Planning Commission provided staff with ideas for changes which will be incorporated into the Plan and brought back for consideration at a future meeting.

Noted for the record, Commissioner Merz left the meeting at 10:50 p.m.

3. **BUSINESS FROM THE FLOOR**

Timothy Brennan addressed the Council regarding his concerns for those suffering because of homelessness and encouraged Council to look at regulations that would allow those individuals to panhandle.

4. **ADJOURNMENT**

Adjourned at 11:00 p.m. to July 6, 2010 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: 9/21/10 - DRP



Deborah R. Presson, City Clerk

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
JULY 1, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

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

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

Commissioner Sorensen requested that Item 3.2 be pulled from the Consent Agenda. Therefore, the Commission will enact one motion for Item 3.1 of the Consent Agenda and Item 3.2 will be heard immediately following approval of the Consent Agenda.

3.1 Minutes - Regular Meeting of April 1, 2010

Minutes - Regular Meeting of June 3, 2010

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Merz) to approve the minutes of April 1, 2010 and the minutes of June 3, 2010, with one correction to the April 1, 2010 minutes as follows:

*Page 2, Item 4.1, Modification No. 3) "...the concrete patios labeled as Note 1 shall be pervious surfacing **material**."*

As a result of absence(s) from the meeting(s) in question, final voting on meeting minutes shall be recorded as follows:

*Minutes of April 1, 2010
Approved by a vote of 7-0*

*Minutes of June 3, 2010
Approved by a vote of 6-0-0-1 (Minasian abstained due to absence on 6-3-10)*

- 3.2** **Resolution: Use Permit 10-12 (AT&T) 3042 Esplanade, APN 006-380-001** - (Noticed 05-22-10; Meeting 06-03-10) - Final resolution denying a request to construct a flagpole cell tower on a portion of the Executive Homes site on the east side of the Esplanade, north of Shasta Avenue.

Requested Action: Adopt Resolution No. 10-09, Denying Use Permit (AT&T)

It was motioned (Merz) and seconded (Luvaas) to adopt Resolution No. 10-09, thereby denying Use Permit 10-12 (AT&T).

On behalf of the Commission, Chair Kelley acknowledged a letter dated June 28, 2010 from the Applicant's representative, Frank Schabarum, which offered changes to the proposed project in an effort to gain the Commission's approval. Staff confirmed the tower would still be located within 200 feet of residential property regardless of its placement at the site due to the narrow width of the subject property. Commissioner Sorensen summarized his reasons for opposing the Resolution for denial (detailed in a letter dated July 1, 2010 and provided to Administrative Assistant Masterson for inclusion in the record).

Motion passed by a vote of 5-1-0-1 (Sorensen opposed; Minasian abstained).

4. PUBLIC HEARING ITEMS

- 4.1** **Amendments to Titles 2 and 19 of the Chico Municipal Code Pertaining to Historic Preservation - A-C-ST-6.3 (City of Chico)** (Noticed 04-26-10; Continued from 05-06-10; Re-noticed 05-18-10; Meeting 06-03-10; Public Hearing Closed; Continued to 07-01-10) Continuance of Planning Commission deliberation of proposed amendments to Title 2 to establish a new Architectural Review and Historic Preservation Board and proposed amendments to Title 19 to establish an historic preservation ordinance. The Commission will make a recommendation to City Council. The 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. 10-07, recommending that the City Council adopt an ordinance amending Chapter 2.56 and Title 19 of the Chico Municipal Code regarding historic preservation.*

Senior Planner Bob Summerville presented the staff report. Chair Kelley opened the public hearing at 6:58 p.m. Addressing the Commission in the following order were:

- **Doug Imhoff**, feels the failure to allow him to opt out of inclusion in the Historic Resources Inventory is a denial of his right to due process

Chair Kelley mentioned he wanted to determine if this was a valid concern and had posed the question to Assistant City Attorney Wilson in a recent email (entered into the public record). In the opinion of ACA Wilson, adoption of the inventory prior to adoption of the ordinance is not a violation of due process and further, under the proposed ordinance, property owners would have the ability to remove their properties from the list at any time if they no longer meet the listed criteria.

- **Art Lemner**, expressed concern with added cost/burden to the property owner

The public was asked to refrain from repeating comments expressed at the prior public hearing. It was noted that if the public hearing was indeed re-opened, testimony should not be restricted to new comments only. The Commission had not properly re-opened the public hearing (by majority vote) and did so at this time.

It was motioned (Barrett) and seconded (Merz) to re-open the public hearing. Motion passed by a vote of 7-0 and testimony resumed.

- **Dale Bennett**, feels he is losing some level of property rights and is concerned with another level of government involvement in society.
- **Hilary Herman**, retired building official, spoke in favor and stated that the historic building code provides a level of flexibility not afforded under the regular code.
- **Carl Nelson**, resident on Oleander, stated his neighbor's house was listed without his consent; believes this is a taking of one's property without compensation.
- **John Whitehead**, Chico Avenues Neighborhood Association Board President and a realtor, referred to his letter (included in the record) and spoke in favor, noting that people pay a premium per square foot for those (historic) homes in order to have the character they find so attractive.

There being no further speakers to address the Commission, Chair Kelley closed the public hearing at 7:22 p.m. Commission deliberation resumed.

It was motioned (Brownell) and seconded (Barrett) that the Planning Commission adopt Resolution No. 10-07, recommending that the City Council adopt an ordinance amending Chapter 2.56 and Title 19 of the Chico Municipal Code regarding historic preservation.

Commissioner Minasian stated, for the record, that although she was absent from the June 3, 2010 meeting when this agenda item was first considered, she reviewed all written materials, viewed a taped copy of the meeting itself, and therefore, would be participating in tonight's action on this item.

The Commission amended the motion on the floor to include suggested language modifications to the ordinance for consideration by City Council as follows:

- 1) Page 2, Chapter 2.56.030 Composition, Paragraph A. Regular members. This section should be revised to include certain wording suggested by Jeff Carter, Esq., in a letter dated June 3, 2010, possibly replacing the word "practicing" with "licensed" when referring to professionals.*
- 2) Page 4, Section H. Definitions. Make note of the date of City Council adoption of the Historic Resources Inventory.*
- 3) Section 19.10.020 Noticing. B. Method of Distribution, page 7 at line 7; suggest increasing the time frame from 5 days prior to the hearing to a minimum of 10 days. In addition, staff was asked to consider owner notification by certified mail.*
- 4) Section 19.37.120 Exemptions. Suggest adding swimming pools and driveways to the list of exemptions with clarification that the exemption would not apply if the pool or driveway would substantially diminish the integrity of the resource.*
- 5) Section 19.37.140 Incentives for maintenance or development of landmark property. It was suggested that incentives D. (Mills Act Agreements), E. (Federal Rehabilitation Tax Credits), and F. (Facade Improvement Program) be moved up in the ordinance rather than at the end of the document.*

Motion, as amended, passed by a vote of 6-1 (Sorensen opposed).

- 4.2 Provincial Park Plaza Planned Development Permit 10-01, Use Permit 10-21 and Architectural Review 10-09 (Hughes) NE Corner of Bruce Road and E. 20th Street, APN 018-390-021 (Noticed 06-19-10)** - A proposal to construct a neighborhood retail center. The 2.5-acre site is designated Mixed Use Neighborhood Core on the General Plan diagram and is located in a CN Neighborhood Commercial zoning district. The proposed center includes five structures totaling approximately 3,200 s.f. and 108 onsite parking spaces. This project was approved in 2007, but that original approval has since expired. The new project is largely identical to what was previously approved. The project is within the scope of the

previously certified Warfield Land-Doe Mill Road Development Environmental Impact Report (SCH #91063031), and no additional environmental review is required. ***Planning staff recommends that the Planning Commission adopt Resolution No. 10-10, approving Planned Development Permit 10-01, Use Permit 10-21, and Architectural Review 10-09 for this project.***

Associate Planner Greg Redeker presented the staff report and noted that only one condition of approval had been added since the project's original approval in 2007; that is, Condition of Approval #19, requiring compliance with the provisions of recent legislation (AB1881) affecting landscaping plans. A concern with the age of the previously certified EIR was expressed. Assistant City Attorney Wilson stated that there is no set expiration for an EIR; discretion can be exercised if a new significant impact is identified.

Senior Development Engineer Matt Johnson requested a language change in Exhibit II, Conditions of Approval, as follows:

Item #4 should be amended to read: "The permittee shall originate or participate in **an** any assessment district formed for the installation and/or maintenance of landscaped medians along Bruce Road **and E. 20th Street.**"

Chair Kelley opened the public hearing at 7:54 p.m. Addressing the Commission in the following order were:

- **Tom DeKleer**, project architect, spoke in favor and responded to questions
- **Bill Hughes**, managing member of LLC owner, spoke in favor and provided information with respect to the project's financing and number of leases signed

There being no further speakers to come before the Commission, Chair Kelley closed the public hearing at 8:08 p.m.

It was motioned (Luvaas) and seconded (Sorensen) that the Planning Commission adopt Resolution No. 10-10, finding that the project is within the scope of the previously certified Warfield Lane-Doe Mill Development EIR and approving the Provincial Park Plaza Retail Center (PDP 10-01, UP 10-21, and AR 10-09), based on the required findings, subject to the conditions of approval contained therein, and with the following modifications:

- 1) Exhibit I, Item 1.1 The Commission requested that the requirement that construction occur on "weekdays only" be emphasized.***
- 2) Exhibit II, Item 4. Modify language as requested by SDE Johnson (noted above).***

3) *Exhibit II, Item 14. Modify to read: “The use of ~~spandrel~~ non-vision glass shall be limited...”*

The motion, as amended, passed by a vote of 7-0.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Interim Planning Services Director Wolfe provided an update on department activities and reviewed a calendar of upcoming meetings/events.
 - 7.2 **Sustainability Task Force Update** - Commissioner Luvaas reported on the June 7, 2010 meeting of the Sustainability Task Force. The Climate Action Plan was reviewed and approved by staff and the Task Force. The City received a grant through the Public Utilities Commission (approximately \$400,000) for a pilot project to retrofit 100 apartments and 100 homes to increase energy efficiency.
 - 7.3 **Communication** - A June 23, 2010 fax communication from Jerry Olio was acknowledged.
8. **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 8:16 p.m. to the joint meeting of the Planning Commission and City Council scheduled on Saturday, July 24, 2010 at 8:30 a.m.

August 5, 2010
Date Approved

_____/s/
Karen Masterson
Administrative Assistant



City of Chico
NOTICE OF CANCELLATION
of
July 15, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the July 15, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Saturday, July 24, 2010 for a joint meeting with Chico City Council in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant

Dated: July 8, 2010

Distribution:

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Via Email

City Manager

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SDE Johnson

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ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — July 24, 2010
Minutes

- 1.1. JOINT CITY COUNCIL/PLANNING COMMISSION MEETING - 8:30 a.m.
- 1.2. Call to Order - Mayor Schwab call the July 24, 2010 - Adjourned Regular Joint Council and Planning Commission meeting to order at 8:30 a.m. in the Council Chamber, 421 Main Street.
- 1.3. Flag Salute
- 1.4. Roll Call

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

Planning Commission

Present: Barrett, Luvaas, Merz, Sorensen, Kelley
Absent: Brownell, Minasian
- 1.5. Proclamation - Congratulating Eri Yoshida for outstanding achievements in professional baseball

The City Council took action on the following item prior to the Joint City Council/Planning Commission meeting:

- 1.6. CONSENT AGENDA ITEM - ADOPTION OF A RESOLUTION AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO CALRECYCLE FOR THE USED OIL PAYMENT PROGRAM

Adopted - a revised resolution authorizing the City Manager to submit applications to CalRecycle for the Used Oil Payment Program. This resolution was previously approved by the Council on 7/06/10, but CalRecycle required that the title of the resolution be revised to omit the word "Grant" before "Applications." All other language in the resolution remains the same. The General Services Director recommended adoption of the resolution.

RESOLUTION NO. 40-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AUTHORIZING THE SUBMITTAL OF APPLICATIONS TO CALRECYCLE FOR THE USED OIL PAYMENT PROGRAM

A motion was made by Walker and seconded by Nickell to approve the Consent Agenda, as read.

The motion carried by the following vote:

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

2. REGULAR AGENDA

2.1. CHICO 2030 GENERAL PLAN UPDATE - ELEMENT REVIEW

At this meeting the City Council and Planning Commission reviewed the Circulation Element of the draft 2030 General Plan. Due to the amount of time spent on the Circulation Element, the Downtown, and Economic Development Elements will be heard at a future meeting. This meeting was the third in a series of five joint Council/Commission meetings on the draft 2030 General Plan.

Staff provided an overview of key Circulation topics and summarized public feedback received on this element. Members of the community were given an opportunity to provide input, and the Council and Commission provided direction on suggested modifications and/or additions. Council direction and public input at this stage continue to help refine and improve the Plan as it moves toward final adoption in 2011. (Report - Brendan Vieg, Principal Planner)

Staff provided an overview of the Circulation Element which described transportation systems in Chico and provides a policy framework to guide development of the City's circulation system, including roadways, transit, bicycle, and pedestrian facilities and services.

Following the staff presentation and Council/Commission questions, the meeting was recessed at 10:10 for a 15 minute break. The meeting was reconvened and all members were present.

Addressing the Council were:

Donna Cook - questioned street designations, expressed concern about bicycle safety, and asked that speed limits be included in the General Plan.

Maureen Kirk - opposed to the West Park Avenue Extension and encouraged the Council to allow the fencing to come down around Comanche Creek in order for people to enjoy the area.

Sheldon Praizer - opposed to the West Park Avenue Extension especially since true costs associated with the project have not yet been identified.

Emily Alma - opposed to any project happening near Comanche Creek.

Christine Nelson - concerned about Diamond Match and the potential development that could occur. Felt that there should not be any residential in that area due to the contaminants in that area.

Debbie Villasenor - opposed to the West Park Avenue Extension. Encouraged Council to be good stewards and protect the animals in the riparian areas that can't be here at the meeting to speak for themselves.

Mark Stemen - opposed to the circulation plan because it does not address the greenhouse gases reduction and questioned staff regarding the number of new Class 1 bike lanes.

Quentin Colgan - concerned about the proposed changes to Hicks Lane.

Bill Brouhard - spoke in support of including options in the General plan concerning the West Park Avenue Extension.

Pamela Posey - concerned with sprawl, the overall growth rate of the City, and the fact that all the proposed connectors cross creeks.

Grace Marvin - opposed to the West Park Avenue Extension, asked that the Council require that infill plans, financial considerations, and the Climate Action Plan are all considered prior to approving any new roads being built. She also noted she was opposed to urban sprawl.

Michael Pike - provided the Council and Commission with an overview regarding the Otterson Drive referendum process and expressed his disapproval of now inserting the West Park Avenue Extension into the General Plan when it was clear that the majority of people did not support it when it went to the vote of the people ten years ago. He also questioned staff's traffic count numbers that were used to support the need for the West Park Avenue Extension.

Ken Fleming - informed the Council and Commission that through his research he had found that there were two planning approaches used with the first one having everyone do their homework first and then develop supporting documents to implement. The other way, which is what he believed has been done with our proposed General Plan, is to write a plan that is so vague that it opens up as many discussions as possible at future meetings. He does not support maintaining flexibility in the proposed 2030 General Plan that if approved, will allow standards to be adapted to project needs. He also stated that he is not sure that it is the City of Chico that needs to accommodate future growth in this County.

Matt Galloway - spoke in support of the proposed West Park Avenue Extension and how it would provide assistance with the businesses located in that area and aid in future economic growth. He expressed support for keeping a broad view when looking at the Meyers area and the need for additional circulation. He felt that with the additional circulation, infill projects could be completed.

Jeff Collins - expressed support for the proposed West Park Extension. Doesn't really support staff's recommendation for the 500 feet at the Midway. He asked that a time line be included in the General Plan for the installation of that extension. He also believed that a Master Plan should be developed for that area so that people can use the area that is currently fenced off.

Brahama D. Sharma - hoped that this 20-year plan would bring about an efficient and improved mass transportation.

Steven Schuman - wanted to share with the Council a quote that said "Do what we can with what we've got." He expressed his thanks to staff and the members of neighborhoods who have assisted with the neighborhood plans. He requested that Council direct the Creekside group to now move forward developing plans for the passive use of the creek in the Otterson Drive area. He also encouraged the Council to bring back the idea of the trolley which he believed would help reduce greenhouse gases and mitigate some of the traffic on Hegan Lane. He also encouraged the Council and Commission to stop treating our soil like dirt and expressed his opposition of a punch through to Ivy Street from the industrial area.

Linda Hamilton - wanted to share with the Council and Commission information about the LEED pilot program which does include some ideas on LEED building. One of the main principals is to not develop on undeveloped lands. It also promotes native plants and resources and encourages alternative transportation. She believed that the new General Plan should keep the door open to the LEED form of building.

Linda Huffman - concerned about the wording pertaining to punching through Ivy Street to the industrial area. If Ivy Street is punched through then it should be included in the normal traffic grid. Don't let the traffic from the Industrial area back up into the residential area.

Richard Harriman - strongly supported the comments from Mark Stemen and Ken Fleming regarding the greenhouse gases issue. He believed that the proposed General Plan needed to

be more focused and that Council should direct staff to trim it down to a 20-year plan versus a 50-year plan which he believed was what staff had presented. The proposed plan looks like a San Jose plan and based on that, he believed that the scope of the environmental review will have to be extensive.

Janet Ellner - stated that she is a current member of the committee dealing with creekside issues and that the committee is not in favor of a bridge being built over Comanche Creek but instead is totally in favor of the area being preserved and enhanced which should include bicycle circulation.

Alan Gair - stated that it is clear that the economy doesn't look good right now and that something different is needed. He indicated that growth in this community is driven by the developers and the propaganda that indicates it is necessary for economical development is inaccurate. He stated that retail business is doing fine in Chico and it is a myth that growth will bring in additional businesses which will help stimulate our economy. He felt that the City should be focusing on the existing businesses already here. He suggested that the Council should dump the proposed General Plan and instead develop priorities that would then help determine a list of projects to be completed.

Robin Huffman - agreed with Mr. Gair's comments. She added that it was time to stop building in and around creeks and was very concerned about the estimated 2% growth rate. She asked that "vacancy" rates be incorporated into the General Plan as well as priorities.

Karen Laslo - asked about the funding source for the proposed West Park Avenue Extension and assumed that it would be public money. She felt that part of the problem in that business area is that the businesses skipped out on the landscaping. She suggested that funds be used to "green" up Hegan Lane landscaping and turn Comanche Creek into a lovely park including a foot bridge. A nice park would increase the value of the businesses out there instead of building a bigger road and bridge. They need to fix up their landscaping in order to attract green companies.

Melinda Vasquez - felt that a bridge and new roadway in the Otterson Drive area does not support the General Plans intent to protect greenways. The City should instead be looking for ways to be better stewards of the creeks and greenways and oppose the West Park Avenue extension.

Bob Linschied - spoke in support of the circulation element as it is needed in order to assist with economic development. He believes equity, environmental concerns and economic concerns should all be treated equally for the common good. He applauded staff and Council on the continuing efforts to address all issues in this plan which he recognized as a tremendous balancing act.

The Council and Commission recessed for a thirty minute lunch at 12:05 p.m. The meeting reconvened and all members of both the City Council and Planning Commission were present.

The Council and Commission discussed the schedule for the remaining items on the agenda pertaining to Economic Development and the Downtown Element.

Addressing the Council in support of taking the public testimony regarding Economic Development and the Downtown Element at this meeting were Richard Harriman, Bill Brouhard, and Mark Stemen.

The Council and Commission agreed to finish the Circulation Element at this meeting and to meet again on Tuesday, August 17, 2010 to discuss the remaining items. It was noted by the

Council that the August 17, 2010 meeting would have a 10:00 p.m. ending time.

The Council and Commission recessed for a two-minute break in order to return order to the meeting.

The Council and Commission members provided staff with general direction, suggestions, and additions regarding the Circulation Element, with specific direction regarding the Eaton Road Extension to State Route (SR) 32, West Park Avenue Extension, and the Southgate Avenue Extension to Midway, as noted by the following straw votes:

A motion was made by Councilmember Walker that a straw vote be taken on including the West Park Avenue Extension in the draft General Plan as a future potential connection to the Hegan Lane Business Park. Councilmember Flynn seconded the motion. The straw vote carried 4-3, with Gruendl, Holcombe and Nickell opposed.

A motion was made by Councilmember Holcombe to retain the Eaton Road Exchange in the 2030 General Plan which he supports as a connectivity route, with benefits to economic development, but with direction that it shouldn't be growth inducing nor provide any access points beyond the Greenline, with inclusion of mitigations for any residential growth along the roadway. The motion was seconded by Vice Mayor Nickell. The motion carried by a 7-0 vote.

Councilmember Holcombe moved that the Southgate Avenue Extension be included in the draft 2030 General Plan. The motion was seconded by Vice Mayor Nickell and carried with a 7-0 vote.

The Commission and Council also discussed the Hicks Lane 99 Route which staff indicated was being included to reflect the need to address the circulation in that area at some point in the future. Staff also noted that this item is also included in the County's General Plan as well. Staff recommended that this item be left in as a potential connection but it was noted that it could fall off the list.

Councilmember Gruendl noted that since the plan would be coming back for final discussion with the possibility of this item falling off the list, he suggested that it be left in for now and discussed when the plan comes back. Council concurred.

2.2. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA - None**

3. **BUSINESS FROM THE FLOOR**

Jane Oliver - thanked the Council for its efforts in developing a comprehensive plan. She gave each Councilmember a copy of a book titled *Climatism!* by Steve Goreham that reviews the current climate crisis.

Grace Marvin - asked about the Holly Warner connector route for a bicycle route and encouraged Council to consider that possibility.

Mark Stemen - Stated that he never got an answer on how all these people, all of this growth, all of these roads, and all of this traffic can reduce greenhouse gases.

Chris Nelson - wanted to remind Council that with the West Park Avenue Extension, you are only shaving off an additional couple hundred of feet of roadway with a severe impact to Comanche Creek. She also stated that the Council and City were terrible stewards of that land based on what she had seen when she walked the area.


Michael Pike - concerned about safety issues out at Hegan Lane and asked if a study could be conducted regarding emergency responses.

Michael Jensen - concerned about sustainability and would support a bike factory being located in Chico.

4. ADJOURNMENT

Adjourned at 2:30 p.m. to August 3, 2010 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: 9/21/10 - DRP



Deborah R. Presson, City Clerk

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
AUGUST 5, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Susan Minasian
Mark Sorensen

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Matt Johnson, Senior Development Engineer
Roger Wilson, Assistant City Attorney
Jake Morley, Associate Planner
Denice Britton, Urban Forest Manager
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION

Barrett: Item 4.1, drove by site; Item 4.2, spoke with Kris Kidd and Dylan Tellesen

Sorensen: Item 4.1, drove by site

Brownell: Item 4.1, drives by site often

Luvaas: Item 4.1, spoke with Rosie White and Evanne O'Donnell; Item 4.2, spoke with Dylan Tellesen and Kris Kidd

Merz: Item 4.1, drove by site

Kelley: Item 4.2, spoke with Butte County District Attorney Mike Ramsey, met with Chico Police Chief Mike Maloney

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of July 1, 2010

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Barrett) and seconded (Merz) to approve the minutes of July 1, 2010, as presented, without corrections.

Motion passed by an unanimous vote of 7-0.

4. PUBLIC HEARING ITEMS

4.1 Tentative Subdivision 09-02 (11th Avenue) 2053 Magnolia Avenue, APN 003-600-082 (Noticed 07-24-10) - A request to subdivide a 1.04-acre site which is developed with a single family home and guest house into seven single-family residential lots in compliance with the Small Lot Subdivision standards of the Municipal Code. The site is designated Low Density Residential on the General Plan diagram, and is located in an R1/SD-4 Low Density Residential zoning district. The project is also located within the boundaries of the Avenues Neighborhood Plan. The project has been determined to be exempt from environmental review pursuant to Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines. *Planning staff recommends that the Planning Commission adopt Resolution No. 10-11 approving Tentative Subdivision S 09-02 (11th Avenue) based on the required findings and subject to the conditions of approval contained therein.*

Associate Planner Jake Morley presented the staff report. Senior Development Engineer Matt Johnson provided background and clarification addressing many of the neighbors concerns. Chair Kelley opened the public hearing at 7:23 p.m. Addressing the Commission in the following order were:

- **Jim Stevens**, NorthStar Engineering, representing the Applicant, spoke in favor
- **Susan Gillum**, resident at 2005 Magnolia, spoke in opposition
- **Dave Wallace**, resident next door to the project, spoke in opposition
- **Margot Weisgerber**, spoke on behalf of an elderly neighbor (in opposition)
- **Rosie White**, resident on Zuni Avenue, spoke in opposition
- **Ken Fleming**, resident, spoke in opposition
- **John Whitehead**, President of CANA (Chico Avenues Neighborhood Association), spoke regarding funding for neighborhood improvements
- **Emily Williams**, resident on Savannah, expressed concerns regarding traffic
- **Evanne O'Donnell**, resident on Zuni, expressed concerns regarding infrastructure

There being no further speakers to address the Commission, Chair Kelley closed the public hearing at 8:07 p.m.

The Planning Commission recessed at 8:08 p.m. and reconvened at 8:21 p.m. Commissioners and staff were present as noted.

It was motioned (Luvaas) and seconded (Brownell) that the Planning Commission adopt Resolution 10-11 approving Tentative Subdivision S 09-02 (11th Avenue) based on the required findings, subject to the conditions of approval contained therein, with modifications/additions thereto as follows:

*Exhibit I, Condition No. 6, Line 2 is amended to read: "...into a residential structural **structure.**"*

Exhibit I, Condition No. 11, Line 2 is amended to read: "...show the street trees to be preserved."

*Exhibit I, Condition No. 16, Line 14 is amended to read: "...a qualified biologist **or ornithologist.**"*

*Exhibit I, New Condition No. 17 is added: "**Irrigated landscaping is to be provided on the west side of the new private road.**"*

*Exhibit I, New Condition No. 18 is added: "**A joint maintenance agreement shall be put into place.**"*

*Exhibit II, Page 3, Item 2.a)2), Line 1 is amended to read: "One hundred percent on-site disposal of storm drainage **may shall** be utilized for this subdivision."*

Exhibit II, Page 4, Item 2.a)2) (continued), SDE Johnson shall work with ACA Wilson to tighten up language regarding identification of a replacement area to accept all of the design flow, explaining the need for a fail safe mechanism and clarifying that the replacement area would be on-site.

Vote: 5-2

Ayes: Barrett, Brownell, Kelley, Luvaas, Minasian

Noes: Merz, Sorensen

- 4.2 Amendments to the Chico Municipal Code Regarding the Cultivation, Processing and Distribution of Medical Marijuana - A-C-ST-99 (City of Chico) (Noticed 07-22-10) - A proposal to amend the Chico Municipal Code to establish regulations regarding the cultivation, processing, and distribution of medical marijuana. The Commission will conduct a public hearing and make a recommendation to the City Council. The amendments have 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 conduct a public hearing on the proposed amendments to the Chico Municipal Code and forward a recommendation to City Council.***

Interim Planning Services Director Mark Wolfe presented the staff report. Chair Kelley opened the public hearing at 9:32 p.m. Addressing the Commission in the following order were:

- **Kris Kidd**, representing Citizen's Collective, spoke in favor
- **Ken Prather**, representing Tehama Herbal Collective, spoke in favor
- **Benson**, citizen, provided general comments
- **Dylan Tellesen**, representing Citizen's Collective, spoke in favor
- **Dan Beveridge**, representing Prudential Real Estate, spoke in favor
- **Charles Porter**, citizen, spoke in favor
- **Richard Tognoli**, representing S.O.S. Collective, spoke in favor
- **Quentin Colgan**, citizen, spoke in favor
- **Steve Brown**, property owner Maradaur Avenue, spoke in favor
- **Paul DeFlores, Jr.**, security consultant, spoke in favor
- **Ken Fleming**, citizen, provided general comments

The Commission unanimously agreed to extend the meeting until 10:30 p.m. There being no further speakers to address the Commission, Chair Kelley closed the public hearing at 10:10 p.m. Staff answered questions from the Commission.

Recognizing there would be insufficient time to complete the agenda item at this meeting, a continuation was discussed. Interim Planning Services Director Wolfe asked the Commission if any additional information on the subject was needed to facilitate future deliberation. It was requested that staff prepare a side-by-side comparison of how other cities (of similar size and characteristics) are addressing the issue of medical marijuana, including such information as location and concentration of dispensary facilities allowed or limitations on proximity (to each other and to schools, daycare facilities, parks), how sales of paraphernalia are treated, size restrictions for residential grows, etc.

It was agreed that the meeting of September 2, 2010 will be cancelled and that Agenda Item 4.2, Amendments to the Chico Municipal Code Regarding the Cultivation, Processing and Distribution of Medical Marijuana, will be continued to the meeting of September 16, 2010.

5. **REGULAR AGENDA** - There were no items for this Agenda.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Interim Planning Services Director Wolfe provided an update on department activities and reviewed a calendar of upcoming meetings/events.
 - 7.2 **Sustainability Task Force Update** - The August 2, 2010 meeting of the Sustainability Task Force was cancelled; therefore, there is no report to provide.
 - 7.3 **Communication** - None

8. **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 10:30 p.m. to the joint meeting of the Planning Commission and City Council scheduled on Tuesday, August 17, 2010 at 6:00 p.m.

September 16, 2010
Date Approved

_____/s/_____
Karen Masterson
Administrative Assistant



City of Chico
NOTICE OF CANCELLATION
of
August 19, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the August 19, 2010 adjourned regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet August 21, 2010 for a joint meeting with Chico City Council in the City Council Chambers located at 421 Main Street.

By: Karen Masterson, Administrative Assistant
Dated: August 13, 2010

Distribution:

Clerk & Council (8)
State Mandated (1)
Post: Council Chambers
Post: Website
Via Email
City Manager
IPSD Wolfe
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ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — August 21, 2010
Minutes

- 1.1. JOINT CITY COUNCIL/PLANNING COMMISSION MEETING - 8:30 a.m.
- 1.2. Call to Order - Mayor Schwab called the August 21, 2010 - Adjourned Regular Joint City Council and Planning Commission meeting to order at 8:30 a.m. in the Council Chamber, 421 Main Street.
- 1.3. Flag Salute
- 1.4. Roll Call

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

Planning Commission

Present: Barrett, Brownell, Luvaas, Merz, Minasian, Sorensen, Kelly
Absent: None
- 1.5. Proclamation - Proclaimed September 19, 2010 as "Responsible Dog Ownership Day"

2. REGULAR AGENDA

- 2.1. CHICO 2030 GENERAL PLAN UPDATE - ELEMENT AND PUBLIC FACILITIES ASSESSMENT REVIEW

At this meeting the City Council and Planning Commission reviewed and discussed the Parks, Public Facilities and Services Element of the draft 2030 General Plan and the draft Public Facilities Assessment (PFA). The PFA describes and assesses the feasibility of financing capital facilities needed to support build-out of the General Plan Land Use Diagram. Staff provided an overview of key topics and summarized public feedback received on the Parks, Public Facilities and Services Element and the draft PFA. Members of the community were provided an opportunity to provide input, and the Council and Commission provided direction on suggested modifications or additions. Council direction and public input at this stage continues to refine and improve the General Plan as it moves toward final adoption in 2011. (Report - Brendan Vieg, Principal Planner)

Staff provided an overview of the staff report pertaining to the Parks, Public Facilities, and Services (PPFS) Element. This element is intended to address the community's needs and interests for its parks of all sizes as well as its public facilities and services, such as infrastructure, schools, sewer and wastewater systems, and community services.

City of Chico/CARD Relationship

The City and the Chico Area Recreation and Park District (CARD) have a new relationship with realigned roles and responsibilities that streamline the provision of parks and recreational services to the City and surrounding community. While CARD's service area extends well beyond the boundaries of the City, the majority of CARD's service area population is located in the City. Through the new arrangement, the City will retain ownership and maintenance responsibility for Bidwell Park, the Park Plaza, Children's Park, creekside greenways and City-

owned preserves, while CARD will assume ownership and operation of the various other developed parks and recreation systems in the City. It was noted by staff that the draft 2030 General Plan directs the City to use the CARD Master Plan standards for neighborhood and community parks due to the new partnership between the City and CARD, resulting in a call for a greater park acreage to resident ratio than the City's 1994 General Plan standards.

Additional discussion was held regarding the actions in the draft PPFs Element which are listed below:

New Park Development Fees in Support of CARD Master Plan - which would require City Council adoption of park fees initiated by CARD and is a separate action from the General Plan adoption.

CARD Participation in City Projects Review - engages CARD staff as part of early project review for Special Planning Areas and larger subdivision proposals in order to integrate parks into projects at the planning stage.

Community Partnerships - City staff will work with CUSD, CSU, Chico, Butte College, and CARD to coordinate the joint use of school facilities for community parks and recreation.

Pursuit of Funding Sources - Pursue local, state, federal, and other funds for the development of parks and recreation facilities.

Other items discussed included water reuse systems and compost services.

The Council and Commission recessed for a 15 minute break at 9:50 a.m. The meeting was reconvened and all members were present.

Public Facilities Assessment (PFA)

The PFA evaluates the feasibility of the draft General Plan from a municipal facilities perspective. It projects future demand for parks, streets, sewer and drainage infrastructure, and other physical improvements needed to support build-out of the Plan's Land Use Diagram. It then estimates the costs of these facilities and identifies potential funding sources. The basic question addressed by the PFA is whether or not it is reasonable to expect that funding for these various improvements will be available as growth occurs. Staff indicated that the answer provided by the report indicates "yes."

Staff noted that the PFA is not a 20-year Capital Improvement Plan nor does it commit the City to any certain course of action with regard to future City projects or particular funding mechanisms. The list of facilities will change over time, and the range of funding alternatives will evolve as the General Plan is implemented. The PFA is an informational document and does not require adoption or any specific endorsement by the Council. The PFA will, however, provide background information for the upcoming Nexus Study Update, which will serve as a basis for adoption of updated impact fees, a major source of funding for capital facilities. The PFA will also aid in development of future 5-year Capital Improvement Plans because it is expected that many of the projects identified in the PFA will eventually be incorporated into a CIP.

Fiscal Impact Analysis (FIA)

Staff provided an overview and purpose of the Fiscal Impact Analysis which evaluates the feasibility of the draft General Plan from a municipal cost standpoint as indicated by General Fund conditions. The FIA estimates revenue from new development which will contribute to the

General Fund, the projected demand on General Fund dollars related to this development, and reaches a conclusion as to whether or not, at full build-out, the net result is negative or positive.

Mayor Schwab opened up the discussion to the public. Addressing the Council were:

Grace Marvin - asked that the Plan include showing appreciation and encouraging community involvement in improving Chico's future. In regards to water conservation, there is no policy listed under the goal pertaining to citizen conservation efforts. She also felt that there should be a specific mention of protecting the greenline in this plan and a reference to the great gift of Bidwell Park from Annie Bidwell.

Mark Stemen - still waiting for answers on how we build this plan out so that it reduces carbon dioxide. Transit is the key but couldn't find funding in this plan for a transit center. Infill is harder and messier but is key to reducing our greenhouse gases and our increasing demand on ecological services. The General Plan says it promotes infill but he couldn't find it in the PFA.

Elizabeth Devereaux - supported the comments regarding water issues. She felt that water is the most important issue facing us now. She felt that not building on the aquifer is important in our recharge areas. She indicated that the City should be looking at infill if this plan is truly based on sustainability. She also asked the Council to change its vision regarding the West Park Avenue Extension.

Linda Hamilton - wanted to address the West Park Avenue Extension and asked that the priority in the report be lowered to a Tier 3. She stated that building a road and a bridge does not do anything but build a road and a bridge. She believed that every other option should be exhausted before building the road and bridge and encouraged Council to bump up other priorities slated for that area such as installing a bicycle network in that area.

Chris Nelson - addressed her concerns regarding the widening of the Midway and encouraged using signaling to cut down on greenhouse gases. She wanted the Council and Commission to consider the fact that Southwest Chico does not have a park in that area, and would ask that the postage stamp piece of property at 16th Street become a passive park and have that land preserved. Storm water management is another concern as it indicates that Comanche Creek is considered a drainage ditch, which it is not. She also felt that the City needed a more comprehensive bicycle plan not like the one currently in place and it should include the Comanche Creek area. She urged Council to take it out of Tier 1 or get rid of it all together. She also addressed her concerns regarding the possible development of Diamond Match and the costs associated with providing infrastructure, safety, schools, and her concern as to what might happen to the Council because of the toxicity of the soil and the lawsuits that will come forward because the City has zoned the land residential. She stated that no one should be building a home on that land. She wanted to encourage looking at waste oil recycling.

Susan Mason - addressed the PFA and why it doesn't include the \$100K the Council recently allocated for an animal shelter. She also questioned why Bidwell Park is not mentioned more in this assessment and noted there is no money for the capital projects budget for some of the listed recreational projects.

Jill Ortega - talked about some solid waste programs that have been created by her company that are centered around food waste which she believed have been effective.

Debbie Villasenor - requested that the Southwest Neighborhood Plan be included in the General Plan. She liked the greenway acquisitions policy but thought that it should have more teeth in the guideline. She encouraged the development of incentives to have developers use a

100 ft. creekside setback versus the 25 ft. setback currently required. She also asked Council to please reconsider their vote on the West Park Avenue Extension.

Randy Abbott - addressed his concerns regarding water protection, the aquifer, and adequately preserving Bidwell Park by including the original deed in General Plan.

Janet Ellner - asked the Council to remove the West Park Avenue Extension, as a Tier 1 to a Tier 2 priority. She felt that the City should look at other alternatives and the decision to go forward with this extension should be contingent on the feasibility study of the widening of the Midway.

Mark Herrera - urged Council to support organic recycling efforts and the protecting of our water recharge areas. He also expressed concern over the Neal Road Landfill and the need to continue to find ways to divert the waste being taken there.

Dr. Fred Brooks - provided information regarding how other states implemented aquifer enhancement programs which enhanced those areas. He felt that those programs could be used here in Chico. He encouraged Council to use good planning that will only enhance the quality of life. He suggested looking at Bloomfield, Colorado and how they developed a special events center and it draws people from everywhere. It brings in people for trade shows and is packed every day for all kinds of events. He believed that a special events center in Chico could be used by the City, CARD, and the University.

Karen Laslo - supported the costs spent to date for the development of the proposed General Plan, because it has allowed staff to conduct these meetings which have provided more transparency of the process. She noted that she wanted to see more money for public facilities for the maintenance of the parks, and to restore the rangers hours which have been cut back. She is now picking up trash at the parks because of the cutbacks. She also asked about when the restroom is going to be built on the north side of the pool and encouraged Council to provide more money for schools, roads, and creekside greenways.

Richard Harriman - addressed the three topics that he felt had been covered in this meeting which were (1) using resources efficiently; (2) saving money; and (3) the implicit understanding that new development will pay its own way. Regarding the wastewater issue, he did agree that new packaged sewer plants have been developed that can provide the means for recycling and asked that Council have staff check into these systems.

Council and Commission recessed at 11:50 for a 20 minute lunch break. The meeting was reconvened and all members were present.

The Council and Commission provided staff with detailed suggestions regarding the Parks, Public Facilities, and Services Element and the Fiscal Impact Analysis. Feedback provided at this meeting will be incorporated into the Draft Final Plan and brought back for further discussion and approval.

3. **BUSINESS FROM THE FLOOR**

Debbie Villasenor - questioned how the Fiscal Impact Analysis and Public Facilities Assessment will impact the draft EIR. Staff indicated that all changes to all the Elements will be included in the EIR.

4. **ADJOURNMENT**

Adjourned at 1:35 p.m. to September 7, 2010 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: 9/21/10 - DRP

Deborah R. Presson

Deborah R. Presson, City Clerk



City of Chico
NOTICE OF CANCELLATION
of
September 2, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the September 2, 2010 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, September 16, 2010 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: August 27, 2010

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
SEPTEMBER 16, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Mark Sorensen

Commissioners Absent: Kathy Barrett
Susan Minasian

Staff Members Present: Mark Wolfe, Interim Planning Services Director
Matt Johnson, Senior Development Engineer
Roger Wilson, Assistant City Attorney
Mike Sawley, Associate Planner
Greg Redeker, Associate Planner
Mary Fitch, Administrative Analyst

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION

Sorensen: Item 4.2, had meetings with various parties

3. CONSENT AGENDA

3.1 Minutes - Regular Meeting of August 5, 2010

Requested Action: Approve the minutes, with corrections, if any.

It was motioned (Brownell) and seconded (Sorensen) to approve the minutes of August 5, 2010, as presented, without corrections.

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

4. PUBLIC HEARING ITEMS

4.1 Meriam Park Development Agreement Amendment No. 3 (DA 05-02), APNs Various (Noticed 09-06-10) - A proposal to amend the Development Agreement between the City of Chico and Meriam Park, LLC, to provide a release clause for specific properties served by completed subdivision improvements, and to specifically exclude a 4.3-acre site that the State of California intends to acquire for the purpose of constructing the North Butte County

Superior Courthouse. The Meriam Park 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. The Planning Commission will conduct a public hearing and make a recommendation to the Chico City Council. The proposed amendments are within the scope of the certified Final Environmental Impact Report (FEIR) for Meriam Park. ***The Planning Services Director recommends that the Planning Commission adopt Resolution No. 10-13, recommending that the City Council amend Development Agreement 05-02, based on the findings contained therein.***

Associate Planner Mike Sawley presented the staff report. Chair Kelley opened the public hearing at 6:40 p.m. Addressing the Commission was:

- **Tom DiGiovanni**, representing Meriam Park, LLC (Applicant), spoke in favor

There being no further speakers wishing to address the Commission, Chair Kelley closed the public hearing at 6:47 p.m.

It was motioned (Luvaas) and seconded (Merz) that the Commission adopt Resolution No. 10-13, recommending that the City Council amend Development Agreement 05-02, based on the required findings and conditions of approval in the agenda report, with one modification as follows:

Amendment Item No. 4, Section 3.2, Roadway Improvements, shall read:
“1. All street improvements internal to the Meriam Park development shall be constructed by Meriam Park, LLC in conjunction with the development of each phase as required by each applicable regulating plan. Facilities connecting pedestrians and bicyclists to Bruce Road from the 4.29-acre courthouse site referenced in Section 1.4, above, shall be provided prior to building occupancy.”

Note: The above modification language was crafted by City Staff at the request of the Planning Commission.

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

- 4.2 Amendments to the Chico Municipal Code Regarding the Cultivation, Processing, and Distribution of Medical Marijuana - A-C-ST-99 (City of Chico)** (*Noticed 7-22-10; Meeting 08-05-10, Public Hearing Closed, Deliberation Continued*) - A proposal to amend the Chico Municipal Code to establish regulations regarding the cultivation, processing, and distribution of medical marijuana. The Commission will conduct a public hearing and make a recommendation to the City Council. The amendments have 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 conduct a public hearing on the amendments to the Chico Municipal Code and forward a recommendation to City Council.

Planning Services Director Mark Wolfe presented the staff report. The public hearing, held at the Commission's meeting of August 5, 2010, remained closed. General discussion followed and staff responded to questions from the Commission.

It was motioned (Merz) and seconded (Luvaas) that the Planning Commission adopt Resolution No 10-12, recommending City Council consideration of the proposed code amendment and further, that the Council analyze and consider the Commission's comments regarding the Draft Ordinance. The majority of the Planning Commission concluded that:

- 1) Residential grows should be limited to 50 square feet in size;***
- 2) Dispensary locations should be buffered from sensitive land uses; specifically, 300 feet from residential districts and day care centers, and 1,000 feet from schools;***
- 3) Display or sale of paraphernalia at distribution facilities should not be allowed;***
- 4) Limitation of facility size should be discussed at the City Council level;***
- 5) Dispensary hours of operation from 8 a.m. to 8 p.m. are reasonable;***
- 6) Page 1 of the Draft Ordinance, Section 19.77.020, Applicability, Section C. shall be amended to read: "Nothing in this chapter is intended, nor shall it be construed, to preclude any landlord or Homeowners' Association from limiting or prohibiting medical marijuana cultivation, processing, distribution or other related activities by tenants."***

The Planning Commission recessed at 8:10 p.m. and reconvened at 8:25 p.m. Commissioners and staff were present as noted.

- 8) Staff and City Council should consider increasing the number of zoning districts in which cultivation and processing might be approved (e.g. Airport Manufacturing);***
- 9) Some means of protection should be afforded a medical cannabis facility that might otherwise be "forced out" due to an incompatible use/business later establishing in proximity; and,***

10) A separation of 1,000 feet between distribution facilities is appropriate.

Chair Kelley stated for the record that had there not been support for the 300 foot buffer from day care facilities, he would not support the ordinance.

Motion, with comments one through ten noted above, passed by a vote of 3-2-2

Ayes: Luvaas, Merz, Kelley

Noes: Brownell, Sorensen

Absent: Barrett, Minasian

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

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

7. **REPORTS AND COMMUNICATIONS**

7.1 **Planning Update** - Planning Services Director Wolfe provided an update on department activities, including status of the 2030 General Plan Update process.

7.2 **Sustainability Task Force** - Commissioner Luvaas reported on the September 13, 2010 meeting of the Sustainability Task Force including status of the Climate Action Plan.

7.3 **Communication(s)** - None

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Kelley adjourned the meeting at 9:10 p.m. to the Joint Meeting of City Council and Planning Commission on Tuesday, September 28, 2010 at 3:00 p.m.

December 16, 2010

Date Approved

/s/

Karen Masterson

Administrative Assistant

**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING OF
OCTOBER 7, 2010**

Municipal Center
421 Main Street
Council Chambers

Commissioners Present: Kathy Barrett
Mary Brownell
Dave Kelley
Jon Luvaas
John Merz
Mark Sorensen

Commissioners Absent: Susan Minasian

Staff Members Present: Mark Wolfe, Planning Services Director
Matt Johnson, Senior Development Engineer
Roger Wilson, Assistant City Attorney
Zach Thomas, Senior Planner
Karen Masterson, Administrative Assistant

1. CALL TO ORDER AND ROLL CALL

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

2. EX PARTE COMMUNICATION - None Reported

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

4. PUBLIC HEARING ITEMS - There were no items for this Agenda.

5. REGULAR AGENDA

5.1 Standard Conditions of Approval - The review of language used for standard conditions of approval (COAs). The conditions represent those most commonly used for a variety of projects. The conditions were compiled by staff and the language was standardized in collaboration with the Ad Hoc Subcommittee that was formed at the April 1, 2010 meeting of the Planning Commission. The review of standard COAs is not subject to the California Environmental Quality Act (CEQA). *Planning staff recommends that the Planning Commission review the Standard COAs and provide staff with comments regarding any revision(s).*

Senior Planner Zach Thomas presented the staff report. Commissioners Luvaas and Minasian served on the Ad Hoc Subcommittee. The COAs will not be formally adopted because they already exist, but further, they may need to be revised based on a specific project. The

purpose is to have standardized language, agreed upon by the Commission and planning staff, that staff can draw from when preparing project staff reports. One by one the draft COAs were reviewed and the Commission provided feedback for language revisions.

Commissioner Brownell excused herself from the meeting at 7:20 p.m.

Staff will incorporate recommended language revisions and redistribute to the Commission for final review. If further attention is required, this item can be re-agendized. A red-line version of the document is attached hereto and incorporated by reference.

- 6. **BUSINESS FROM THE FLOOR** - None
- 7. **REPORTS & COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Wolfe provided an update on department activities and reviewed a calendar of upcoming meetings/events.
 - 7.2 **Sustainability Task Force Update** - Commissioner Luvaas provided a summary of the October 4, 2010 meeting of the Sustainability Task Force.
 - 7.3 **Communication** - None
- 8. **ADJOURNMENT** - There being no further business, Chair Kelley adjourned the meeting at 7:35 p.m. to the joint meeting of the Planning Commission and City Council scheduled on Tuesday, October 19, 2010 at 6:30 p.m.

December 16, 2010
Date Approved

_____/s/
Karen Masterson
Administrative Assistant

Attachment: Standard COAs, (7 pages)

Standard Planning Conditions of Approval

Planning Commission October 7, 2010

General COA's

1. The project shall be developed in compliance with all other Federal, State and local **codes and** regulations, including those of the Building and Development Services, Capital Projects Services, **Planning Services**, and Fire Departments. The project developer is responsible for contacting appropriate agencies to verify the need for permits.
2. **(Previously Paragraph #8)** The developer shall comply with all other State and local Code provisions, including those of the Building and Development Services, Fire, and Planning Services Departments. The developer is responsible for contacting these agencies to verify the need for permits.
3. **(Previously Paragraph #2)** Prior to recording the final map, any delinquent taxes and/or assessments against the property shall be paid.
4. **(Previously Paragraph #3; Language revised by staff per the Commission's request)** In the event that all fees have not been paid prior to recordation of the final map or parcel map, the following notation shall be included on the final map or parcel map:

“In accordance with the provisions of the Chico Municipal Code, a transportation facility fee, park facility fee, and building and equipment fee may be assessed and levied upon the owner of any lot or parcel within this subdivision (1) At the time a new building or structure is constructed on such lot or parcel; (2) At the time an alteration or addition is made to an existing building or structure constructed on such lot or parcel which results in the expansion of such building or structure; or (3) At the time of a change in use of an existing building or structure constructed on the lot or parcel.

In addition, a storm drainage facility fee may be assessed and levied upon the owner of any lot or parcel within this subdivision (1) At the time such lot or parcel is first used for any residential or nonresidential purpose; (2) At the time the area of the lot or parcel devoted to such residential or nonresidential use is expanded; or (3) At the time of a change in the use of the lot or parcel.

The above transportation facility fee, park facility fee, building and equipment fee, and storm drainage facility fee (“Development Impact Fees”) will be calculated as established by resolution of the City Council. The amount of the Development Impact Fees will be calculated as of the date of approval of the final map or parcel map, together with any adjustments made in accordance with the provisions of the Chico Municipal Code subsequent to the date of approval of the final map or parcel map to account for any of the following:

- A. Any change in the type or extent of the transportation facilities, park facilities, buildings and equipment, or storm drainage facilities (“Facilities, Buildings or Equipment”) which will be required as a result of the development or use of real property during the period upon which the Development Impact Fees are based;
 - B. Any change in the estimated cost of the Facilities, Buildings or Equipment upon which the Development Impact Fees are based; or
 - C. Any change in that portion of the estimated cost of the Facilities, Buildings or Equipment which cannot be funded from revenue sources available to the City other than through the collection of Development Impact Fees.”
5. **(Previously Paragraph #4) Prior to the issuance of grading permits** the project developer shall submit all improvement plans to the Planning Services Department staff for review and approval ~~prior to the issuance of grading permits~~ to ensure compliance with conditions of approval and consistency with the tentative subdivision map. Submitted Improvement Plans shall depict the location, size, and species of all trees on the site ~~and or~~ within areas proposed for dedication as right-of-way.
 6. **(Previously Paragraph #10)** Prior to any ground-disturbing activities, including clearing, grubbing, scraping and grading of the subject site, the applicant shall conduct a pre-construction (pre-ground disturbance) site meeting with Planning staff and the supervising contractor. The purpose of the pre-construction site visit shall be verification by Planning staff that all pre-construction mitigation measures and conditions have been implemented.
 7. **(Previously Paragraph #9)** Prior to issuance of building permits the developer shall furnish a contact name and phone number to the Planning Services Department for the purpose of resolving noise complaints and other similar operational issues.
 8. **(Previously Paragraph #5)** The project developer shall provide temporary traffic control during all phases of construction to improve traffic flow (e.g. flag persons) as determined appropriate by the Engineering Division.
 9. **(Previously Paragraph #6)** The project developer shall water active construction sites as directed by the Building and Development Services Department to control fugitive dust.
 10. **(Previously Paragraph #7)** The project developer shall sweep streets at the end of the day if visible soil materials are carried onto adjacent public paved roads.

Airport Conditions

11. The developer shall record an Avigation Easement, granting the right of continued use of the airspace above the ~~school~~ property ~~by the Chico Municipal Airport~~, and acknowledging any and all existing or potential airport operational impacts.

12. Airspace review by the Airport Land Use Commission shall be required for all objects, including trees, over 100 feet in height.

Cultural Resources

13. **(Paragraph edited at the Commission's request to break the first, long sentence into two or three shorter sentences)** Final grading plans and improvement plans shall include a note which states "Should cultural resources be encountered, the supervising contractor shall be responsible for immediately reporting any such findings to the Planning Services Department, and will retain a professional archaeologist. The archaeologist shall meet the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and be familiar with the archaeological record of Butte County. The archaeologist shall conduct meetings with on-site employees, monitor the required mitigation measures, and report mitigation results to the Planning Director." All mitigation measures determined by the Planning Director to be appropriate for this project shall be implemented pursuant to the terms of the archaeologist's report.
14. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the applicant or their supervising contractor shall cease all work within the area of the find and notify the City Planning Services Department. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. City Planning Services staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the City Planning Services Department, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Planning Services Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. **The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.**

Biological Resources

15. The project developer shall hire a qualified biologist or ornithologist to conduct a preconstruction field survey in and adjacent to the project area for nesting raptors and migratory birds prior to the removal of any tree on the site **and ~~or~~** prior to the issuance of any grading permit on the project site associated with the proposed project. All surveys shall be conducted in accordance with the protocols and guidelines established by Federal and State regulatory agencies. Surveys shall be conducted and submitted to the City

during the season immediately preceding grading operations when birds are building and defending nests or when young birds are still in nests and dependent on the parents (February-August). If no raptor or migratory bird nests are found during the surveys, grading may proceed. If active nests are found, construction activities within 300 feet shall be postponed until after the breeding season or until clearance is provided from State Fish and Game Department staff. The City may prevent impacts on nesting birds by delaying issuance of a grading permit for an area where nests have been found until the birds have left the nest. The time of the bird's departure must be determined by a qualified biologist or ornithologist.

Landscaping, Screening and Design

16. The project developer shall secure staff approval of a Final Landscape and Irrigation Plan prior to issuance of a building permit for this project. The Final Landscape plan shall include:
 - A. A statement that the plan complies with the requirements and standards of Chico Municipal Code Chapter 19.68, "Landscape Standards" and the Updated Model Water Efficient Landscape Ordinance required by AB 1881;
 - B. A statement as to soils types and any special planting techniques required;
 - C. Details for all exterior lighting - location, height, fixture and pole design, type of lamp, directional and cutoff devices, intensity, **and photometric analysis; and,**
 - D. Fence and wall locations, heights, designs. All wood fencing visible from the public right of way or common areas within the project shall feature cap and trim details.
17. **(Previously Paragraph #19)** Landscaping shall conform to the plan submitted to the Planning Services Department on MM/DD/YYYY (Month/Date/Year), except as modified by any other condition of approval, and shall be installed prior to the issuance of a certificate of occupancy. **All new landscaping shall be installed and maintained in accordance with the standards and requirements set forth in CMC Section 19.68.050.**
18. **Pursuant to Chico Municipal Code Section 19.68.050.E, all landscaping shall be properly maintained. All new landscaping shall be installed and maintained in accordance with the standards and requirements set forth in CMC Section 19.68.050.** Such maintenance is to include regular watering, pruning, fertilizing, clearing of debris and weeds, removal and replacement of dead plants, and repair and replacement of irrigation systems and integrated architectural features.
19. **(Previously Paragraph #20)** Landscaping and irrigation **attendant to associated with** any structure shall be completely installed prior to final building inspections for said structure.

20. **(Previously Paragraph #17)** All HVAC units, backflow devices, utility meters, and all other above-ground utility fixtures shall be screened as required under Chico Municipal Code section 19.60.060 (Fencing and screening). Details shall be shown on the required Final Landscape and Irrigation Plan. Screening may be accomplished through the use of appropriate fencing or landscaping or a combination thereof.
21. All wall-mounted utilities and associated equipment shall be painted to match the structure.
22. The screening around the ground-mounted equipment shall consist of **a wall of appropriate design and height, such as** an 8-foot split-face CMU wall. ~~(or other appropriate wall design/height)~~. Landscaping shall be planted adjacent to the wall, including climbing vines of sufficient density to cover the majority of the wall at vine maturity. Administrative architectural review shall be required for the wall, landscaping, and all other ground-mounted structures prior to issuance of building permits.
23. For existing trees to be retained, the special construction techniques **for tree fencing and protection** established in CMC 19.68 shall be followed. Trees to be removed shall be subject to all replacement requirements and/or in lieu fees as established in CMC 16.66.
24. **(Single Section 24. is now three separate sections.)** The developer shall indicate on all grading and building plans that all existing trees indicated on the Architectural Site and Landscape Plans, date stamped XX, shall be preserved in compliance with Chico Municipal Code Section (CMC) 19.68.060 Tree Preservation Measures.
25. Prior to approval of building and/or grading permits, Planning and Development Engineering staff shall verify that the proper notation for tree preservation is indicated on all applicable development plans and a copy of CMC 19.68.060 is included on all applicable plan drawings.
26. Prior to **and any** ground-disturbing activities, including clearing, grubbing, scrapping and grading of the subject site, the **application applicant** shall conduct a pre-construction (pre-ground disturbance) site meeting with Planning staff and the supervising contractor. Prior to this meeting, all ~~installation of protection protective~~ fencing shall be installed.

Creekside and Open Space

27. **(Previously Paragraph #25) No development shall occur within 25 feet of top of bank.** All development and landscaping shall conform to the Creekside Development Standards under CMC 19.60.030(E).

Parking

28. **Previously Paragraph #26)** Parking lot lighting shall **typically** be limited to an overall **height** of 12 feet above grade and placed to minimize obstruction from mature tree canopy. All parking lot, security, and other outdoor utility lighting shall consist of full cut-off fixtures (i.e. flat **or recessed** lens parallel to the ground). Wall lighting shall be

pedestrian-oriented and not **utilized** primarily as a design feature. The final lighting design shall be subject to Planning Staff review and approval.

29. **(Previously Paragraph #27)** The developer shall install a minimum of XX bicycle parking spaces, using racks which support the bicycle frame at two points, such as the Dero “Hoop” rack. A minimum of YY bicycle parking spaces shall be provided near the front entrance of the building.
30. **(Previously Paragraph #28)** Details for all exterior and parking lot lighting including: location, height, fixture and pole design, type of lamp, directional and cutoff devices, intensity and photometric analysis shall be included in the final landscape plan.

Planned Development Permit

31. **(Previously Paragraph #29)** All structures, facilities, and improvements shall be installed in substantial conformance with the site plan for Planned Development Permit 10-XX (Sheet PD-1) submitted to the Planning Services Department on (Month) XX, 2010, except as modified by any other condition of approval. Staff shall verify compliance with the Planned Development Permit and applicable conditions of approval prior to issuance of building permits.
32. **(Previously Paragraph #30)** The following modifications to City development standards are hereby approved as part of the planned development permit:
 - A.
 - B.
33. **(Previously Paragraph #31)** Exterior elevations, features, materials and colors of the structures shall conform to the elevations submitted to the Planning Services Department on (Month) XX, 2010, except as modified by any other condition of approval.
34. **(Previously Paragraph #32)** A note shall be placed on the final map that all development shall comply with Planned Development Permit 10-XX.

Use Permit

35. **(Previously Paragraph #33)** The permittee shall place a note on the front page of all Building plans stating that all structures and facilities will be constructed in conformance with Use Permit 10-XX.
36. **(Previously Paragraph #34)** Use Permit 10-XX (Applicant Name) authorizes construction and operation of a Brief Project Description, in substantial accord with the “Plat to Accompany Use Permit 10-XX (Applicant Name)”, and in compliance with all other conditions of approval. The final site design, including building locations, elevations, size, features, materials, colors, and landscaping shall be in substantial compliance with the elevations, site plan, and other documentation approved by the

Zoning Administrator or Planning Commission and shall be subject to Planning staff review and approval.

~~(Previously Paragraph #35-Delete in its entirety) Trash pickup, service deliveries, and other outdoor noise-generating activities associated with maintenance and operations shall occur during regular business hours.~~

37. **(Previously Paragraph #36)** The permittee shall comply with all other State and local Code provisions, including those of the Building and Development Services, Fire, and Planning Services Departments. The permittee is responsible for contacting these agencies to verify the need for permits.
38. **(Previously Paragraph #37)** Prior to issuance of building permits the permittee shall furnish a contact name and phone number to the Planning Services Department for the purpose of resolving noise complaints and other similar operational issues.

Cell Towers

39. **(Previously Paragraph #38)** The screening fence shall be **decorative and of durable design** as deemed appropriate by the Planning Services Director. All chain link fabric shall be vinyl coated. All posts and rails shall be similarly vinyl-coated or painted to match. Administrative architectural review shall be required for the fencing and all other ground-mounted accessory structures prior to issuance of building permits. **(This COA can be modified based upon the location of the project.)**

~~(Previously Paragraph #39-Delete in its entirety) All regular maintenance of the facility shall occur during normal business hours, between 8:00 a.m. and 5:00 p.m.~~



City of Chico
NOTICE OF CANCELLATION
of
October 21, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the October 21, 2010 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, November 4, 2010 for a regular meeting at 6:30 p.m. in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: October 15, 2010

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City of Chico
NOTICE OF CANCELLATION
of
November 4, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the November 4, 2010 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, November 18, 2010 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant

Dated: October 29, 2010

Distribution:

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City of Chico
NOTICE OF CANCELLATION
of
November 18, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the November 18, 2010 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, December 2, 2010 for a regular meeting at 6:30 p.m. in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: November 10, 2010

Distribution:

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City of Chico
NOTICE OF CANCELLATION
of
December 2, 2010
Planning Commission Meeting

NOTICE IS HEREBY GIVEN that the December 2, 2010 regular meeting of the Planning Commission of the City of Chico has been canceled.

The Planning Commission will meet Thursday, December 16, 2010 for an adjourned regular meeting at 6:30 p.m. in the City Council Chambers located at 421 Main Street.

Karen Masterson

By: Karen Masterson, Administrative Assistant
Dated: November 19, 2010

Distribution:

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**CITY OF CHICO PLANNING COMMISSION
MINUTES OF THE ADJOURNED REGULAR MEETING OF
DECEMBER 16, 2010**

Municipal Center
421 Main Street
Council Chambers

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

Staff Members Present: Planning Services Director Mark Wolfe, Assistant City Attorney Roger Wilson, Senior Development Engineer Matt Johnson, Senior Planner Bob Summerville, Associate Planner Meredith Williams, and Administrative Assistant Karen Masterson

1. CALL TO ORDER AND ROLL CALL

Chair Kelley called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted. Two Commissioners (Brownell and Minasian) whose terms of office are expiring will not be seeking re-appointment and one Commissioner (Sorensen) was elected to serve on the City Council. Chair Kelley acknowledged their years of service on the Planning Commission as follows: Brownell-8 years, Minasian-4 years, and, Sorensen-2 years.

2. EX PARTE COMMUNICATION - None

3. CONSENT AGENDA

3.1 Minutes - Adjourned Regular Meeting of September 16, 2010

Minutes - Regular Meeting of October 7, 2010

Requested Action: Approve the minutes, with corrections, if any

It was motioned (Brownell) and seconded (Luvaas) to approve the minutes, as presented, without corrections.

Minutes of September 16, 2010 - Motion carried by a vote of 4-0-0-2 (Barrett and Minasian abstained due to absence on September 16, 2010)

Minutes of October 7, 2010 - Motion carried by a vote of 6-0.

4. PUBLIC HEARING ITEMS - There were no items for this Agenda.

5. REGULAR AGENDA

5.1 Workshop: Update of Title 19 Land Use and Development Regulations of the Chico Municipal Code - New Zoning Districts - In accordance with the Council-approved Work Plan to comprehensively update Title 19 ("Land Use and Development Regulations") of the

Chico Municipal Code, the Planning Commission will conduct a public meeting to consider and discuss updated zoning districts. This meeting is the first in a series of public workshops. No formal action will be taken at this meeting. Recommendations from this and subsequent workshops will be consolidated into a single code revision and action by the City Council anticipated during the Spring of 2011. ***Planning staff recommends that the Planning Commission consider and discuss updated zoning districts and provide staff with comments.***

Senior Planner Bob Summerville presented the staff report, including a brief overview of the five discussion items for the workshop.

1. The Rural Residential zoning district is being removed, consistent with its removal from the General Plan Land Use Diagram. The Commission supports this action.
2. The RD (Downtown Residential) zoning district is being replaced with the RMU (Residential Mixed Use) zoning district, recommended by staff to streamline the number of zoning districts within the City, and Downtown. Commission Luvaas would like to see the densities increased; this would require a change in the final draft of the General Plan as well. Members of the public speaking to this item were: **Mike Trolinder** and **Brian Firth**.
3. The CD (Downtown Commercial) zoning district is being replaced with the new DN (Downtown North) and DS (Downtown South) districts in order to increase ground-level pedestrian-oriented development in north Downtown and accommodate existing commercial and auto-oriented uses in south Downtown. Member of the public speaking to this item was: **Mike Trolinder**.
4. The C-1 (Restricted Commercial) and C-2 (General Commercial) zoning districts are being replaced with DS (Downtown South). Members of the public speaking to this item were: **Mike Trolinder** and **Marty Amaro (Smyth Tire)**.
5. The PMU (Planned Mixed Use) zoning district is being replaced with SPA (Special Planning Area) zoning district. Members of the public speaking to this item were: **Mike Trolinder, Adam Fedeli** and **Brian Firth**.
6. **BUSINESS FROM THE FLOOR** - None
7. **REPORTS AND COMMUNICATIONS**
 - 7.1 **Planning Update** - Planning Services Director Wolfe provided an update of department activities and schedule of upcoming agenda items.

- 7.2 **Sustainability Task Force** - Commissioner Luvaas provided an update on activities of the Sustainability Task Force and mentioned the formation of several committees.
- 7.3 **Communication(s)** - None
8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Kelley adjourned the meeting at 7:55 p.m. to the adjourned regular meeting of Thursday, January 20, 2011.

February 2, 2012
Date Approved

/s/
Karen Masterson
Administrative Assistant