



CHICO
PLANNING COMMISSION
REGULAR MEETING AGENDA
THURSDAY, NOVEMBER 3, 2022 - 6:00 P.M.
MUNICIPAL CENTER – 421 MAIN STREET – COUNCIL CHAMBERS

Chico

PLANNING COMMISSION

Toni Scott, Chair
Richard Ober, Vice Chair
Paul Cooper
Dennis Deromedi
Bryce Goldstein
Lindsay Poulin
Larry Wahl

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

Posted: October 27, 2022
Prior to: 5:00 p.m.

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

City Staff

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

City Staff

Matt Johnson – Senior Development Engineer
Vince C. Ewing – City Attorney
Angie Dilg- Management Analyst



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

Information and Procedures Concerning Planning Commission Meetings

Public Participation:

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

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

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

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

Time Limit:

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

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

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

Written Material:

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

Hearing Impaired:

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

Special Presentations:

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

Business from the floor:

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

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

agenda.

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

Agenda Copies are:

-Available at the meeting.

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

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

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

Copies of Agenda Reports are:

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

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

Agenda Items:

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

Items Not Appearing on Posted Agenda:

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

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

Use of Cell Phones During Meetings:

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

Appeal of Planning Commission Decision:

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

**CITY OF CHICO
PLANNING COMMISSION
REGULAR MEETING OF THURSDAY, NOVEMBER 3, 2022**

1. CALL TO ORDER

1.1. Pledge of Allegiance to the Flag

1.2. Roll Call

2. CONSENT AGENDA

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

2.1. Approval of Minutes

August 18, 2022

3. BUSINESS FROM THE FLOOR

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

4. PUBLIC HEARINGS

Public Hearing Guidelines

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

4.1 Use Permit 22-06 (Embarc); 185 Cohasset Road, APNs 006-180-040 and 006-180-047: A request for use permit approval to establish a commercial cannabis storefront retailer use in the Community Commercial (CC) zoning district. The proposed storefront retailer would be located in an existing 2,280 square foot commercial building on the south side of Cohasset Road, east of the Esplanade. The site is designated Commercial Mixed Use on the General Plan Land Use Diagram and zoned CC-AOD (Community Commercial with Airport Overflight Zone D overlay). The project has been determined to be categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development Projects). **Questions regarding this project may be directed to Senior Planner Kelly Murphy at (530) 879-6535, or kelly.murphy@chicoca.gov.**

4.2 Use Permit 22-07 (Sweet Flower LLC); 1998 Alcott Avenue, 002-690-019-000: A request for use permit approval to establish a commercial cannabis storefront retailer use in the Traditional Neighborhood Development (TND) zoning district. The proposed storefront retailer would be located in a new 8,505 square foot, multi-tenant commercial building at the northeast corner of Alcott Avenue and East 20th Street in Meriam Park. The site is designated Special Mixed Use on the City's General Plan Land Use Diagram, zoned Traditional Neighborhood Development (TND), and designated TND "CORE" by the approved Regulating Plan. The project has been determined to be categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development Projects). **Questions regarding this project may be directed to Senior Planner Kelly Murphy at (530) 879-6535, or kelly.murphy@chicoca.gov.**

4.3 Zoning and Subdivision Code Amendments for Consistency with State Housing Law (SB 9), General Zoning Code Cleanup, and an application for a Code Amendment (CA 22-01) to Allow Card Rooms in the Downtown North (DN) Zoning District: The City is required to codify Senate Bill 9 that went into effect in January 2022 to allow on any lot zoned for single family development (RS, Suburban and R1, Low Density Residential) either: 1) two-unit housing for the conversion and/or creation of two residences or a duplex on one single family lot, and/or, 2) an Urban Lot Split for the subdivision of an existing lot into two (2) lots without any public improvements. Staff is recommending that a total of two dwelling units be allowed, which may include a combination of primary and accessory units. An Accessory Dwelling Unit (ADU) may be converted from an accessory use to a main residence (by paying the mitigation fees for an additional unit), and the minimum lot size shall be 1,200 square feet for any lot created or modified by an Urban Lot Split.

General Zoning Code cleanup amendments include minor changes to add solar definitions, consistency in noticing, and text clarifications of regulations pertaining to ADUs, Junior ADUs, electrified fencing and landscaping provisions that are described in more detail the staff report.

An amendment to the Zoning Code allowing for a card room land use in the Downtown North (DN) Zoning District, subject to Use Permit review and approval, is also included in the proposed amendments.

Questions regarding this notice may be directed to Bruce Ambo, Principal Planner at (530) 879-6801 or bruce.ambo@chicoca.gov or Kelly Murphy, Senior Planner at (530) 879-6535 or kelly.murphy@chicoca.gov.

5. REGULAR AGENDA

None.

6. REPORTS & COMMUNICATIONS

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

7. ADJOURNMENT

Adjourn to the Adjourned Regular Meeting of Thursday, November 17, 2022.