

**CITY OF CHICO PLANNING COMMISSION  
REGULAR MEETING OF  
August 3, 2023  
Minutes**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: Larry Wahl, Chair  
Toni Scott, Vice Chair  
Paul Cooper  
Lindsay Poulin  
Maggie Scarpa  
Mark Wolfe

Commissioners Absent: Brandi Laffins

Staff Members Present: Bruce Ambo AICP, Principal Planner  
Tina Wilson, Associate Planner  
Nat Kratochvil, Assistant Engineer  
Marina Ramirez, Deputy City Attorney  
Nicole Acain, Administrative Assistant

**1. CALL TO ORDER**

*Chair Wahl called the meeting to order at 6:00 pm.*

**1.1** *Chair Wahl led the Pledge of Allegiance.*

**1.2** Commission members and staff were present as noted.

**1.3** Selection of ARHPB Sub-committee members

Vice Chair Scott nominated Commissioners Cooper, Poulin, Wolfe, to serve as member of the ARHPB Sub-Committee. Commissioner Scarpa was selected as the Alternate.

**AYES: Wahl, Scott, Cooper, Poulin, Scarpa, Wolfe.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: Laffins.**

**2. CONSENT AGENDA**

*Commissioner Wolfe moved to deny the minutes from the June 1, 2023, meeting. He requested that the minutes indicate with a distinction of who is in favor and those who are opposed of the project. He would also like to request the "No" votes indicate it was based on location of the project concerns, not the project.*

*Commissioner Scott seconded the motion.*

The motion carried by the following vote:

**AYES: Wahl, Scott, Cooper, Poulin, Scarpa, Wolfe.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: Laffins.**

**3. BUSINESS FROM THE FLOOR**

None.

**4. PUBLIC HEARINGS**

**4.1 MOD 23-03 to UP 21-03 (Achieve Charter School); 1494 East Avenue, APN 016-070-022: A request to modify a previously approved conditional use permit to remove the requirement for a concrete fence on the west side of the property, per neighbor request.** The 4.7-acre project site is located on the north side of East Avenue on the existing Life Church campus, across the street from Pleasant Valley High School. The site is designated Office Mixed Use on the General Plan Land Use Diagram and is zoned OR-AOC (Office Residential with Aircraft Operations Zone C overlay). The project has been determined to be exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15301 (Existing Facilities). **Questions regarding this project may be directed to Associate Planner Tina Wilson at [tina.wilson@chicoca.gov](mailto:tina.wilson@chicoca.gov) or (530) 879-6807.**

Associate Planner Tina Wilson presented an overview of the project.

*Chair Wahl opened the public hearing and invited public comments.*

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Addressing the Commission on this item were: None.

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*With no other members of the public wishing to address the Commission, Chair Wahl closed the public hearing at 6:15 pm.*

Vice Chair Scott moved that the Planning Commission approve Resolution No 23-06 (Attachment A) determining the project is categorically exempt from further environmental review pursuant to CEQA Sections 15301 and approving Modification application 23-03 to Use Permit 21-03 (Achieve Charter School) subject to the recommended conditions.

*Commissioner Cooper seconded the motion.*

The motion was approved by the following vote:

**AYES: Wahl, Scott, Cooper, Poulin, Scarpa, Wolfe.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: Laffins.**

**4.2 Use Permit 21-06 (Dutch Bros Coffee Drive-Through); 2060 East 20<sup>th</sup> Street, APN 002-370-025:** A request to authorize a new drive-through use associated with the construction of a free-standing Dutch Bros Coffee building, and associated site improvements to the existing parking lot including landscaping on a 3.0-acre parcel developed with the WinCo Foods parking lot. The proposed building with drive-through would be located on the southwest portion of the parcel, west of the accessway along East 20<sup>th</sup> Street. The site is designated Commercial Mixed Use (CMU) on the City of Chico General Plan Land Use Diagram and zoned CC (Community Commercial). The project has been determined to be exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Section 15303 (New Construction or Conversion of Small Structures). **Questions regarding this project may be directed to Associate Planner Tina Wilson at [tina.wilson@chicoca.gov](mailto:tina.wilson@chicoca.gov) or (530) 879-6807.**

Associate Planner Tina Wilson presented an overview of the project.

*Chair Wahl opened the public hearing and invited public comments.*

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Addressing the Commission on this item were: Sandra Fox- Applicant

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*With no other members of the public wishing to address the Commission, Chair Wahl closed the public hearing at 6:29 pm.*

Commissioner Wolfe moved that the Planning Commission approve Resolution No 23-05 (Attachment A) determining the project is categorically exempt from further environmental review pursuant to CEQA Sections 15303 and approving Use Permit 21-06 (Dutch Bros Coffee Drive-Through) subject to the recommended conditions.

*Vice Chair Scott seconded the motion.*

The motion was approved by the following vote:

**AYES: Wahl, Scott, Cooper, Poulin, Scarpa, Wolfe.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: Laffins.**

**4.3 Comprehensive Chico Municipal Code Title 18 Subdivision Ordinance Update.** The City has conducted a comprehensive review of the Title 18 Subdivision Ordinance for conformance with State planning law and the California Subdivision Map Act. The intent of the update is to ensure the Code is consistent with State regulations, streamline the subdivision review process, and reorganize the Code for ease of use and clarity. Over the past several months, a subcommittee consisting of City staff, a consultant, and stakeholders comprised of engineers, surveyors and developers coordinated to identify improvements and updates to the regulations and review process. Key features of the proposed Update include assigning the Map Advisory Committee (MAC) as the approval body for parcel maps instead of the Planning Commission and allowing the Community Development Director, instead of the MAC, to approve minor mapping amendments consisting of lot line adjustments (formerly boundary line modifications), lot mergers and minor land divisions. Staff is recommending that the Planning Commission recommend adoption of the updated Title 18 Subdivision Ordinance by the City Council. **Questions regarding this notice may be directed to Bruce Ambo Principal Planner at [bruce.ambo@chicoca.gov](mailto:bruce.ambo@chicoca.gov) or (530) 879-6801.**

Principal Planner Bruce Ambo and Eric Norris, Interwest Subdivision Ordinance consultant, presented an overview of the project.

*Chair Wahl opened the public hearing and invited public comments.*

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Addressing the Commission on this item were: Eric Norris- Interwest Subdivision Ordinance consultant, Chris Giampaoli- Developer, Keith Doglio- Architect, Dave Mighttree- Resident.

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*With no other members of the public wishing to address the Commission, Chair Wahl closed the public hearing at 7:10 pm.*

Commissioner Poulin moved that the Planning Commission approve Resolution No 23-04, recommending that the City Council determine the project is categorically exempt from further environmental review pursuant to CEQA section 15061 (B)3, and adopt the update to Title 18 Subdivision Ordinance of the Chico Municipal Code following the recommended conditions.

Conditions:

1. Street easements and the timing of public improvements be addressed in the 18R Code Amendments changes that are forthcoming.
2. The current noticing radius for subdivisions remain at a 300-feet.
3. Include the City Attorney changes that were forwarded in the staff requested change memo.

*Vice Chair Scott seconded the motion.*

*Chair Wahl added a friendly amendment to add changes requested in the letter from the Chico Builders Association.*

*Commissioner Poulin withdrew her motion. The Commission deliberated and discussed whether it was necessary to include the Chico Builder Association items of concern.*

*Commissioner Poulin restated her original motion which was to approve with the following conditions.*

Conditions:

1. Street easements and the timing of public improvements be addressed in the 18R Code Amendments changes that are forthcoming.
2. The current noticing radius for subdivisions remain at 300-feet.
3. City Attorney changes that were forwarded in the staff requested change memo.

*Vice Chair Scott seconded the motion.*

The motion was approved by the following vote:

**AYES: Wahl, Scott, Cooper, Poulin, Scarpa, Wolfe.**

**NOES: None.**

**ABSTAIN: None.**

**ABSENT: None.**

## **5. REGULAR AGENDA**

None.

## **6. REPORTS AND COMMUNICATION**

Upcoming training opportunities are available. The newest members of the Commission get first choice in going. Please let Administrative Assistant Nicole Acain or Principal Planner Ambo know if you are interested.

**7. ADJOURNMENT**

The meeting adjourned at 7:33 pm. to the following regular meeting of Thursday, August 17, 2023.

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Date Approved

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Bruce Ambo, Principal Planner  
Community Development Department /  
Planning Commission Secretary