



CHICO
PLANNING COMMISSION
REGULAR MEETING AGENDA
THURSDAY, AUGUST 3, 2023 - 6:00 P.M.
MUNICIPAL CENTER – 421 MAIN STREET – COUNCIL CHAMBERS

Chico

PLANNING COMMISSION

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

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

Posted: July 27, 2023
Prior to: 5:00 p.m.

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

City Staff

Brendan Vieg – Community Development Director
Bruce Ambo, AICP – Principal Planner
Tina Wilson, Associate Planner
Nicole Acain – Administrative Assistant

City Staff

Brendan Ottoboni – Director of PW- Engineering
Nat Kratochvil- Assistant Engineer
Vince C. Ewing – City Attorney



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

Information and Procedures Concerning Planning Commission Meetings

Public Participation:

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

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

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

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

Time Limit:

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

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

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

Written Material:

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

Hearing Impaired:

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

Special Presentations:

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

Business from the floor:

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

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

agenda.

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

Agenda Copies are:

-Available at the meeting.

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

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

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

Copies of Agenda Reports are:

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

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

Agenda Items:

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

Items Not Appearing on Posted Agenda:

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

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

Use of Cell Phones During Meetings:

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

Appeal of Planning Commission Decision:

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

**CITY OF CHICO
PLANNING COMMISSION
REGULAR MEETING OF THURSDAY, AUGUST 3, 2023**

1. CALL TO ORDER

1.1. Pledge of Allegiance to the Flag

1.2. Roll Call

1.3. Selection of Architectural Review and Historic Preservation Board as a new subcommittee of the Planning Commission per Council direction. (Please see the attached staff report for this item.)

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

June 1, 2023

3. BUSINESS FROM THE FLOOR

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

4. PUBLIC HEARINGS

Public Hearing Guidelines

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

- 4.1 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 or (530) 879-6807.****
- 4.2 Use Permit 21-06 (Dutch Bros Coffee Drive-Through); 2060 East 20th 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 20th 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 or (530) 879-6807.****
- 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. Pursuant to the California Environmental Quality Act (CEQA) the project qualifies for an exemption from CEQA under Section 15061(B)3 because it can be seen with certainty that there is no possibility that the adoption of the subdivision ordinance will have a significant effect on the environment because no development is proposed, or other activity contemplated that has the potential to negatively impact the environment. Future subdivision proposals or mapping activity will continue to be reviewed individually for compliance with the CEQA. **Questions regarding this project may be directed to Bruce Ambo Principal Planner at bruce.ambo@chicoca.gov or (530) 879-6801.****

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, August 17, 2023.