



**CHICO**  
**PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
**THURSDAY, AUGUST 1, 2019 - 6:00 P.M.**  
MUNICIPAL CENTER – 421 MAIN STREET – COUNCIL CHAMBERS

# Chico

## PLANNING COMMISSION

Ken Rensink, Chair  
Bryce Goldstein, Vice Chair  
Lupe Arim-Law  
Dennis Deromedi  
John Howlett  
Richard Ober  
Toni Scott

**Copies of this agenda  
available from:**

Community Development Department  
411 Main Street, 2<sup>nd</sup> Floor  
Chico, CA 95928  
(530) 879-6800

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**Posted:** July 24, 2019  
**Prior to:** 5:00 p.m.

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

**City Staff**

Brendan Vieg – CDD Planning & Housing  
Bruce Ambo, AICP - Principal Planner  
Mike Sawley, AICP - Senior Planner  
Stephanie Lawson - Administrative Assistant  
Ashley Hamer - Administrative Assistant

**City Staff**

Matt Johnson - Senior Development Engineer  
Andrew Jared - Assistant 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, 2<sup>nd</sup> 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, 2<sup>nd</sup> 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](http://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 1st, 2019**  
Municipal Center - 421 Main Street - Council Chambers - 6:00 pm

**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**

July 18, 2019

**3. 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)*

- 3.1. Appeal of the Community Development Director's Determination (OPDI 19-01) that Simplicity Village Be Classified as a Temporary Emergency Facility** – Pursuant to Section 19.02.020.A of the Municipal Code, the Community Development Director has determined that in light of the State's and City's Declaration of a Shelter Crisis, compounded by the significant influx of Camp Fire evacuees, that the proposed tiny home temporary emergency facilities use (Simplicity Village) on Notre Dame Blvd., south of Morrow Lane (APN# 040-030-028) represents an allowed temporary use as an "Emergency Facilities" use provided in Section 19.22.020.C of Chapter 19.22 (Temporary Uses) of the Chico Municipal Code.

In general, the appellant contends the Simplicity Village use as an Emergency Facility is inappropriate, that the OPDI's justifications based on the Shelter Crisis Declaration are indeterminant, and that the OPDI interpretation that the Emergency Facility is a "Use By Right" under the Municipal Code constitutes an abuse of discretion by a City Officer. The appellant

believes the findings are not supported, and that there are procedural and/or factual errors in the Director's determination.

At the meeting, the Planning Commission will hold a public hearing to consider a report from staff on the appeal. **Questions regarding this project may be directed to Principal Planner Bruce Ambo at (530) 879-6801 or at [bruce.ambo@chicoca.gov](mailto:bruce.ambo@chicoca.gov).**

**3.2. Downtown Parking In-Lieu Fee Benefit Area Boundary Realignment and Deletion of Obsolete Municipal Code Chapters** - The Planning Commission will consider recommendations to realign the Downtown Parking In-Lieu Benefit Area boundary and relocate the in-lieu boundary map from Chapter 19R into Chapter 19.70 (Parking and Loading Standards). Staff is also recommending the deletion of obsolete Municipal Code chapters that no longer serve a purpose, including Chapter 19R.45 (Impacted Parking Area) and Chapter 19R.66 (Foothill Design Criteria), which have been deleted or integrated into other sections as part of previous Code amendments.

The Planning Commission will provide a recommendation to the City Council regarding the proposed amendments that will be considered at a future City Council meeting. **Questions regarding this project may be directed to Principal Planner Bruce Ambo at (530) 879-6801 or [bruce.ambo@chicoca.gov](mailto:bruce.ambo@chicoca.gov), or Bikram Kahlon, Senior Traffic Engineer at (530) 879-6940 or [bikram.kahlon@chicoca.gov](mailto:bikram.kahlon@chicoca.gov)**

**4. REGULAR AGENDA**

None.

**5. 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.*

**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 15, 2019.