

**CITY OF CHICO PLANNING COMMISSION
REGULAR MEETING OF
November 3, 2022
Minutes**

Municipal Center
421 Main Street
Council Chambers

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

Commissioners Absent:

Staff Members Present: Brendan Vieg, Community Development Director
Bruce Ambo, AICP, Principal Planner
Kelly Murphy, Senior Planner
Angie Dilg, Management Analyst
Nicole Acain, Administrative Assistant

1. CALL TO ORDER

Chair Scott called the meeting to order at 6:04 pm.

1.1 *Chair Scott led the Pledge of Allegiance.*

1.2 Commission members and staff were present as noted.

2. CONSENT AGENDA

Commissioner Deromedi moved to approve the minutes from the August 18, 2022, meeting.

Commissioner Cooper seconded the motion.

The motion carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein, Poulin, Wahl.

NOES: None.

ABSTAIN: None.

ABSENT: None.

3. BUSINESS FROM THE FLOOR

None.

4. **PUBLIC HEARINGS**

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.**

Announcement of Ex Parte communications: None.

Senior Planner Kelly Murphy presented an overview of the project.

Chair Scott opened the public hearing and invited public comments.

Addressing the Commission on this item were:

Dustin Moore- Applicant

Lauren Carpenter- Applicant

Terry Moore- Member of the public in favor of the project

With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 6:42 pm.

Commissioner Goldstein moved that the Planning Commission Adopt Resolution No 22-06, approving Use Permit 22-06 (Embarc), subject to the recommended conditions contained therein.

Commissioner Cooper seconded the motion.

The motion was carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein, Poulin.

NOES: Wahl.

ABSTAIN: None.

ABSENT: None.

Chair Scott called for a brief recess at 6:49 pm. The meeting was reconvened at 6:52 pm. and all members were present.

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.**

Announcement of Ex Parte communications: None.

Senior Planner Kelly Murphy presented an overview of the project.

Chair Scott opened the public hearing and invited public comments.

Commissioner Poulin stepped down due to a conflict

Addressing the Commission on this item were:

Tim Dodd- Applicant

Colleen Winter- Applicant

With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 6:54 pm.

Commissioner Cooper moved that the Planning Commission Adopt Resolution No 22-07, approving Use Permit 22-07 (Sweet Flower LLC), subject to the recommended conditions contained therein.

Commissioner Ober seconded the motion.

The motion was carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein.

NOES: Wahl.

ABSTAIN: Poulin.

ABSENT: None.

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.

Announcement of Ex Parte communications: None.

Principal Planner Bruce Ambo presented an overview of the project.

Chair Scott opened the public hearing and invited public comments.

Addressing the Commission on this item were: None.

With no other members of the public wishing to address the Commission, Chair Scott closed the public hearing at 7:41 pm.

The Planning Commission determined that they would like to separate the votes the respective ordinance amendments in three motions including SB-9 codification, general Code cleanup items, and the cardroom amendments.

Chair Scott moved that the Planning Commission Adopt Zoning and Subdivision Ordinance Amendments regarding State housing laws (SB-9), recommending City Council adoption of amendments to Title 19 of the Chico Municipal Code as set forth therein.

Commissioner Cooper seconded the motion.

The motion was carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein, Poulin, Wahl.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Commissioner Wahl moved that the Planning Commission Adopt Zoning Ordinance Amendments regarding general Code cleanups, recommending City Council adoption of amendments to Title 19 of the Chico Municipal Code as set forth therein.

Commissioner Cooper seconded the motion.

The motion was carried by the following vote:

AYES: Scott, Ober, Cooper, Deromedi, Goldstein, Poulin, Wahl.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Commissioner Wahl moved that the Planning Commission Adopt Code Amendment 22-01, recommending City Council adoption of an amendment to Title 19 of the Chico Municipal Code as set forth therein.

Commissioner Deromedi seconded the motion.

The motion was carried by the following vote:

AYES: Cooper, Deromedi, Goldstein, Poulin, Wahl.

NOES: Scott, Ober.

ABSTAIN: None.

ABSENT: None.

5. REGULAR AGENDA

None.

6. REPORTS AND COMMUNICATION

None.

7. ADJOURNMENT

The meeting adjourned at 8:10 pm. to the following regular meeting of Thursday, November 17, 2022.

Date Approved

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