

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF  
May 16, 2019**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: Ken Rensink, Chair  
Bryce Goldstein, Vice Chair  
Lupita Arim-Law  
Dennis Deromedi  
John Howlett  
Toni Scott

Commissioners Absent: Richard Ober

Staff Members Present: Bruce Ambo, AICP, Principal Planner  
Kelly Murphy, Planner  
Matt Johnson, Senior Development Engineer  
Andrew Jared, Assistant City Attorney  
Stephanie Lawson, Administrative Analyst

**1. CALL TO ORDER**

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

- 1.1 Chair Rensink led the Pledge of Allegiance.
- 1.2 Commission members and staff were present as noted.

**2. CONSENT AGENDA**

- 2.1 *Commissioner Arim-Law moved to approve the minutes from the May 2, 2019 meeting.  
Commissioner Scott seconded the motion which passed 6-0-1 (Ober absent).*

**3. PUBLIC HEARING ITEMS**

**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)*

*Chair Rensink and Commissioner Arim-Law had discussion with Principal Planner Bruce Ambo.*

**3.1 Accessory Dwelling Units (ADU) Ordinance Amendments:** The Planning Commission will consider a summary report on a previous community workshop where ADU Code amendments and other options were discussed to stimulate ADU production. Based upon the feedback from the public and Planning Commission at the earlier ADU community workshop, staff is recommending that the Planning Commission conduct a public hearing to consider ordinance amendments to the Accessory Dwelling unit (ADU) provisions in Chapter 19.19 and Section 19.76.130 (Accessory Dwelling Units) in Title 19 of the Chico Municipal Code (Land Use and Development Regulations).

Currently, the ADU ordinance requires a property owner to live onsite in either the main residence or the ADU, and to record a deed restriction reinforcing the requirement. At the community workshop there was public testimony both in support and against removing the owner-occupancy requirement.

Staff is recommending that the owner-occupancy requirement be removed, except in the SD-4 (Special Design Considerations – West Avenue Neighborhood) overlay zone, which is bounded by West 11<sup>th</sup> Avenue to the north, West Sacramento Avenue on the south, Esplanade on the east, and Warner Street and Citrus Avenue to the west. For all other areas outside the SD-4 overlay zone, the owner-occupancy restriction would be eliminated. Also proposed are related cleanup amendments regarding ADU standards including alley setbacks and new housing definitions for consistency with State definitions.

At the meeting, the Planning Commission will hold a public hearing to consider a summary report of the ADU community workshop, and the proposed ADU Code amendments. The Planning Commission will then 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 Planner Kelly Murphy at (530) 879-6810, or [kelly.murphy@chicoca.gov](mailto:kelly.murphy@chicoca.gov).

The proposed ADU Code amendments would not result in an increase in development beyond that which was analyzed in the Final Environmental Impact Report (EIR) prepared and certified for the Chico 2030 General Plan update (State Clearinghouse #2008122038). The proposed amendments represent a refinement of the General Plan adoption process, and in accordance with California Environmental Quality Act Guidelines Section 15162 are within the scope of the EIR.

Any person may appear and be heard at the workshop. The Planning Commission may not have sufficient time to fully review materials presented at the public hearing. Interested parties are encouraged to provide written materials at least 8 days prior to the public hearing to allow distribution with the Planning Commission's agenda packet and thus, adequate time for the Planning Commission to review. All written materials submitted in advance of the public hearing must be submitted to the City of Chico Community Development Department, 411 Main Street, Second Floor, or mailed to P.O. Box 3420, Chico, CA 95927. Written materials should refer to the specific public hearing item listed above.

In accordance with Government Code Section 65009, if any person(s) challenges the action of the Planning Commission in court, 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.

Principal Planner Bruce Ambo and Planner Kelly Murphy presented the report and answered questions from the Commission.

Senior Engineer Matt Johnson answered questions from the Commission regarding improvements to infrastructure.

Assistant City Attorney Jared answered questions from the Commission regarding owner occupancy rules and regulations.

***Chair Rensink opened the public hearing up to the public.***

Community member, Kirk Manfort addressed the Commission in favor of owner occupancy in any high occupancy neighborhood.

Community member, Marilyn Hoag addressed the Commission in favor of removing the owner occupancy requirement.

Community member, Karen Ford addressed the Commission in favor of removing the owner occupancy requirement. She discussed the current State Bills regarding owner occupancy requirements.

Community member, Mike Campos addressed the Commission in favor of removing the owner occupancy requirement.

Community member, Melinda Vasquez addressed the Commission in favor of keeping the owner occupancy requirement. Vasquez voiced her concern for lack of ownership on ADUs.

Community member, Ken Fleming addressed the Commission in favor of ADU development and acknowledged that with the fee reduction more ADUs are possible. Fleming spoke against investor development. Fleming spoke in favor of affordable housing, and acknowledged that ADUs are not necessarily affordable.

Community member, Betty Nopel addressed the Commission against ADU development as affordable housing. Nopel spoke in favor of a strong Code Enforcement to address illegal units.

***With no other members of the public wishing to address the Commission, Chair Rensink closed the public hearing.***

Assistant City Attorney Andrew Jared addressed questions regarding legalizing ADUs and owner occupancy requirements.

***Commissioner Scott moved that the Planning Commission adopt Resolution No. 19-06 recommending City Council adoption of the ordinance to amend Title 19 of the Chico Municipal Code as set forth therein.***

***Commissioner Goldstein second the motion which passed 4-2-1 (Goldstein, Howlett, Rensink, Scott yes; Arim-Law, Deromedi no; Ober absent).***

#### **4. REGULAR AGENDA**

None.

**5. BUSINESS FROM THE FLOOR**

None.

**6. REPORTS & COMMUNICATIONS**

Principal Planner Ambo communicated memos forwarded to Planning Commission on population and housing, and a reminder for an upcoming Planning Commissioner Training Workshop.

**7. ADJOURNMENT**

There being no further business from the Commission, the meeting was adjourned at to the Regular meeting of Thursday, June 6, 2019 at 6:00 pm.

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Date Approved

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