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Chico Planning Services Department
411 Main Street, 2nd Floor
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Agenda Prepared: 03-03-11
Agenda Posted: 03-03-11
Prior to: 5:00 p.m.

CITY OF CHICO
ZONING ADMINISTRATOR
AGENDA
MEETING OF MARCH 8, 2011
Municipal Center - 411 Main Street - Engineering Conference Room, 2nd Floor
3:00 P.M.

CONDUCT OF PUBLIC HEARINGS - The public is encouraged to participate in the hearing process. An agenda item is first introduced by the Zoning Administrator and then presented by a staff member. The Administrator then opens the public hearing and provides an opportunity for the proponent to address the item. Following the proponent's statement, if any, the Administrator will invite any other interested party in support of the item to address the matter. Following the testimony of the proponent and supporters, opponents are given an opportunity to present testimony regarding the item. After the opponents have completed testifying, the proponent is given time to offer rebuttal. At the conclusion of testimony, the Administrator will close the hearing.

In the interest of everyone concerned, we request that you do not repeat what has already been discussed by someone prior to your turn. After a speaker has presented his/her views, if you are in agreement and wish to go on record, state your name and address and acknowledge your agreement with the speaker. This will enter your name into the record. Please limit presentations to a maximum of 3 minutes or other time limit as determined by the Zoning Administrator so that all interested parties will have an opportunity to speak. Following your presentation, please print your name and address on the speaker's sheet with the secretary, in order to obtain correct spelling and maintain accurate records.

Please contact the City Planning Services Department at (530) 879-6800 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. In order to accommodate your request, it should be received at least three working days prior to the meeting. Anyone who has difficulty hearing the proceedings of a meeting may be provided with a portable listening device by requesting one from the City Planning Services Department.

Any person or persons dissatisfied with a Zoning Administrator 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 Zoning Administrator, 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 Zoning Administrator at, or prior to, the public hearing.

Materials related to an item on this agenda submitted to the Zoning Administrator after distribution of the agenda packet are available for public inspection in the Planning Services Department at 411 Main Street, 2nd Floor, Chico, CA 95928 during normal business hours.

NOTE: 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 Administrator wishes to take action, he must make one of the following determinations:

1. Determine that the need to take action arose subsequent to the agenda being posted.
2. Determine that the item appears on a posted agenda for a meeting occurring not more than five calendar days prior to this meeting and the item was continued to this meeting.

Items may be added to the agenda for the Administrator to acknowledge receipt of correspondence or other information, or for discussion only, of items brought up by a member of the general public that are within the subject matter jurisdiction of the Administrator.

**ZONING ADMINISTRATOR
MEETING OF MARCH 8, 2011
AGENDA**

1. INTRODUCTION

- 2. NOTICED PUBLIC HEARING ITEMS** - The following items will be considered in the order listed, unless there is a request to change the order. Any person may speak during the public hearing on any of the items listed below.

- 2.1 Use Permit 10-25 (Gates/Benson) 40 Constitution Drive; APN 006-210-078** (*Noticed 02-26-11*) - A request to allow a church use in an existing office building. The approximate 0.48-acre site is designated Office on the General Plan diagram and is located in the OC (Office Commercial) zoning district. The project is exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15301 (Existing Facilities). (**Staff Report: Assistant Planner Angela Spain**)

Planning staff recommends that the Zoning Administrator find the project is categorically exempt from environmental review and approve Use Permit 10-25 (Gates/Benson) based on the required findings and subject to the conditions of approval contained therein.

- 2.2 Use Permit 10-28 (McLay Second Unit) 322 W. Frances Willard Ave; APN 003-151-013** (*Noticed 02-12-11; Hearing Postponed; Re-Noticed 02-26-11*) - A proposal to construct a second dwelling unit where a detached garage/carport formerly stood on a developed residential property in Mansion Park. A use permit is required because the second unit is proposed within 30 feet of the primary residence. The site is designated Low Density Residential on the General Plan diagram and located within an R1 (Low Density Residential) zoning district. The project is exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Section 15303(A), New Construction of a second dwelling unit. (**Staff Report: Associate Planner Mike Sawley**)

Planning staff recommends that the Zoning Administrator find the project is categorically exempt from environmental review and approve Use Permit 10-28 (McLay Second Unit) based on the required findings and subject to the conditions of approval contained therein.

- 2.3 Use Permit 10-26 (Higginson) 996 Vallombrosa Avenue; APN 003-540-038** (*Noticed 02-26-11*) A request to demolish an existing legal nonconforming detached garage and reconstruct a larger nonconforming structure (garage/shop with a second dwelling unit on the second floor) in the same location. The 0.36-acre site is located at the northwest corner of Vallombrosa and Sheridan Avenue, is designated Low Density Residential on the General Plan diagram, and is located in an R1 (Low Density Residential) zoning district. This project is exempt from environmental review pursuant to California Environmental Quality Act

Guidelines, Section 15303 (New Construction or Conversion of Small Structures). **(Staff Report: Associate Planner Greg Redeker)**

Planning staff recommends that the Zoning Administrator find the project is categorically exempt from environmental review and approve Use Permit 10-26 (Higginson) based on the required findings and subject to the conditions of approval contained therein.

- 2.4 Modification to Use Permit 08-34 (Café Culture) 931 W. 5th Street; APN 004-203-004**
(Noticed 02-26-11) - A request to modify an existing use permit to allow alcoholic beverages to be sold during live music events. The site is located on land designated Manufacturing and Warehousing on the General Plan diagram and is located in the ML (Light Manufacturing) zoning district. The project is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15301, (Existing Facilities). **(Staff Report: Assistant Planner Angela Spain)**

Planning staff recommends that the Zoning Administrator deny the request to modify Use Permit 08-34 (Café Culture).