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CITY OF CHICO CITY COUNCIL PLANNING COMMISSION PUBLIC HEARING NOTICE



APPEAL OF THE COMMUNITY DEVELOPMENT DIRECTOR'S DETERMINATION (OPDI 19-01) THAT A PROPOSED TINY HOME COMPLEX FOR HOMELESS INDIVIDUALS BE CLASSIFIED AS A TEMPORARY EMERGENCY FACILITY IN THE (ML) LIGHT MANUFACTURING/ INDUSTRIAL ZONING DISTRICT ON PROPERTY LOCATED ON THE EAST SIDE OF NOTRE DAME BOULEVARD AND SOUTH OF MORROW LANE (SIMPLICITY VILLAGE, APN 040-030-028)

NOTICE IS HEREBY GIVEN that the City of Chico Planning Commission will hold a public hearing on **Thursday, August 1, 2019 at 6:00 p.m.** in the City Council Chambers located at 421 Main Street, regarding the following:

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.

Simplicity Village would be comprised of 33 tiny homes (Emergency Sleeping Cabins) with a central kitchen/dining area and related support facilities to accommodate approximately 46 area seniors who are homeless, or at risk of being homeless, including singles and couples. The goal of the program is to temporarily house participants in the community through program-provided training in a variety of job and life skills in support of independent living.

The project would be enclosed with a fenced and secured perimeter with a gated entry where access would be restricted by gate monitors 24-hours a day. Residents would be screened and referred by social service providers that will conduct background checks and a skills inventory. Residents would be required to ascribe to a participant agreement that is reinforced in the village self-management structure requiring compliance with village policies and rules.

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.

Any person may appear and be heard at the public hearing. 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.

NEWSLINES

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California Constitution.

- Putting additional restrictions on the electoral choices of political independents violates their due process and equal protection rights as guaranteed by both state and federal Constitution.
- Requiring a political independent to register with a particular party or request its ballot as a condition to vote for a specific candidate violates their right of association (or, in this case, non-association) which is guaranteed by the First Amendment of the U.S. Constitution.

"The state of California can't create a process that includes some voters and excludes others."

—Chad Peace,
Independent Voter Project

Among the plaintiffs are both Democratic- and Republican-leaning voters who, the filing states, would like to vote for a presidential candidate running in the primaries of those two parties "without being forced to associate" with that party.

"Would you say to somebody, 'Well, you have the freedom of religion, but you have to go to a Catholic Church in order to practice it?'" said Peace. "Then you also can't say, 'You have freedom of political expression and the freedom of vote, but you have to go to the Democratic Party's private nomination process in order to exercise it.' It's the same argument."

The Independent Voter Project has advocated for a "public ballot" for nonpartisan voters, allowing them to pick from a list of all the major party candidates—though parties would not be obligated to count those votes.

The group has lobbied state legislators to create such a ballot in the past, unsuccessfully.

—BEN CHRISTOPHER

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