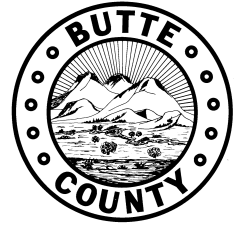


**Butte County Department of Development Services**  
TIM SNELLINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR



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ADMINISTRATION \* BUILDING \* PLANNING

## **BUTTE COUNTY PLANNING COMMISSION ACTION MINUTES**

October 11, 2012

*Chair Becker called the meeting to order at 9:00 am.*

- II. ROLL CALL** – Commissioners Kennedy, Marin, Nelson, Wilson and Chair Becker.  
*Commissioners Kennedy, Marin, Wilson and Chair Becker were in attendance.  
Commissioner Nelson arrived at 9:04 am*

*Others in attendance:*

<i>County Counsel:</i>	<i>Felix Wannemacher, Counsel</i>
<i>Environmental Health:</i>	<i>Vance Severin, Deputy Director</i>
<i>Land Development:</i>	<i>Tom Fossum, Land Development Manager</i>
<i>Development Services:</i>	<i>Chuck Thistlethwaite, Manager, Planning</i>
	<i>Stacey Jolliffe, Principal Planner</i>
	<i>Steve Troester, Senior Planner</i>
	<i>Kim McMillan, Administrative Assistance Senior</i>

- III. ACCEPTANCE OF AGENDA** – Commission members and staff may request additions, deletions or changes in the Agenda order.

*Stacey Jolliffe requested that we move the minutes of June 14, 2012 & September 13, 2012 to the top of the agenda.*

- IV. MINUTES** – [June 14, 2012](#) & [September 13, 2012](#)

*A motion to approve the June 14, 2012 minutes was made by Commissioner Wilson and seconded by Commissioner Marin.*

*Vote:*

*Ayes: Commissioner Kennedy, Marin, Wilson and Chair Becker*

*Noes: None*

*Abstain: Commissioner Nelson*

*Absent: None*

*A motion to approve the September 13, 2012 minutes was made by Commissioner Wilson and seconded by Commissioner Kennedy.*

Vote:

Ayes: Commissioners Kennedy, Mary, Nelson, Wilson and Chair Becker

Noes: None

Abstain: None

Absent: None

**V. BUSINESS FROM THE FLOOR ON ITEMS NOT ALREADY ON THE AGENDA**  
(Presentations will be limited to five minutes. The Planning Commission is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda).

*None*

**VI. PUBLIC HEARINGS AND OTHER MATTERS FOR DISCUSSION** – The Chair will call for a presentation of the report of staff. The hearing will then be opened to the public for proponents, opponents, comments, and rebuttals. The hearing will be then be closed to the public and discussion confined to the members of the Planning Commission and staff. The Commission will then make a motion and vote on the item. It is requested that individual public comments be addressed to the Chair and limited to a maximum of 5 minutes so that all interested parties will have an opportunity to address the Commission. Following your presentation, please print your name and address on the speakers sheet so that the record will be accurate.

**A. [Durham Villas](#)**

**Applicant:** Dick Jones and Bud Keeney

**Project:** TSM10-0001 & REZ10-0001

**Planner:** Chuck Thistlethwaite      **APN:** 040-200-083

**G.P.:** VLDR (Very Low Density Residential); located within the “Urban Reserve” portion of Durham established in the Durham - Dayton - Nelson Community Plan.

**Zoning:** A-5 (Agricultural, 5 acre minimum)

**Proposed Zoning:** VLDR (Very Low Density Residential, one-acre minimum)

**Location:** South side of Durham-Dayton Highway and immediately east of the unincorporated community of Durham at 2243 Durham Dayton Highway

**Proposal:** Approval of applications for a Tentative Subdivision Map with 141 residential lots, plus 10 lettered lots for various community uses, and the rezoning of a ±118 acre parcel.

**Staff Recommendation:** Receive public testimony and continue open until October 25, 2012

*Chuck Thistlethwaite advised the commission that the applicant has requested that this item be continued until 10-25-12. Chair Becker opened the public comment.*

*Carrie Moniger requested clarification regarding the comment period. Chuck Thistlethwaite addressed her questions.*

*Chair Becker continued the hearing open to October 25, 2012*

There is a 10-day appeal period on decisions with the Clerk of the Board.

**B. [Helena Chemical Nelson Terminal](#)**

**Applicant:** Helena Chemical Company

**Project:** ZCA11-0002 & UP10-0003

**Planner:** Stacey Jolliffe & Steve Troester **APN:** 038-260-013 (portion)

**G.P.:** AS Agricultural Services

**Zoning:** A-40 (Agricultural 40-acre minimum parcel size)

**Proposed Zoning:** AS Agricultural Services

**Location:** East side of Midway Road, bordered by Nelson Road on the south, on the northeast corner of the community of Nelson

**Proposal:** Use Permit UP10-0003 would allow development of a regional storage and distribution facility for fertilizers and pesticides. Zoning Code Amendment ZCA11-0002 would amend the current Agricultural zone to allow agricultural support uses by Use Permit.

**Staff Recommendation:** Receive the staff report from the Department of Development Services and various environmental consultants; receive the presentation from the applicant; conduct a public hearing to receive testimony on the Final EIR, ZCA11-0002, and UP10-0003; and continue the hearing open until November 8, 2012, directing staff to prepare resolutions for the Planning Commission's consideration of certification of Final EIR pursuant to CEQA, the approval of Use Permit UP10-0003 and recommending approval of Zoning Code Amendment ZCA11-0002; including findings.

*Carter Redding – Condor Earth Technologies*

*Paul Bollard – Bollard Accoustical*

*Ken Anderson – KD Anderson & Associates, Inc*

*Gareth Davis – Helena Chemical Company*

*Members of the public who addressed the Commission regarding this project:*

*Gary Stone*

*Tom Lando*

*Nani Tevas*

*Charles Ryan*

*Daniel Robinson*

*Bryce Lundberg*

*John Scott*

*John Bianci*

*Stacey Gore*

*Michael Roberts*

*Carolyn Triplet*

*Sharon Gore*

*Gareth Davis – Helena Chemical*

*Steve Alexander – Vice President Helena Chemical*

*A motion to continue this project open to the November 8, 2012 meeting was made by Commissioner Wilson and seconded by Commissioner Marin*

*Vote:*

*Ayes: Commissioners Kennedy, Marin, Nelson, Wilson and Chair Becker*

*Noes: None*

*Abstain: None*

*Absent: None*

**VII. GENERAL BUSINESS** - This section of the agenda is to be utilized by the Planning Commission and Director of Development Services on items of interest, general discussion, or items for which staff have been directed to do research and bring back to the

Commission. Items may not always be addressed at every hearing, but will always be listed as part of the agenda.

- A. Directors' Report
- B. General Plan Follow-up and Implementation Program
- C. Update on Recent Board of Supervisors' Actions

*None*

- D. Legislative Case Law Update

*None*

- E. Planning Commission Concerns

*None*

**VIII. COMMUNICATIONS** - Communications received and referred. (Copies of all communications are available in the Planning Division Office.)

**IX. ADJOURNMENT**

*Chair Becker adjourned the meeting at 12:47 pm*

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Chair Becker