

# ***Butte County Department of Development Services***

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ADMINISTRATION \* BUILDING \* PLANNING

## **BUTTE COUNTY PLANNING COMMISSION AGENDA**

**September 23, 2010**

**TIME:** 9:00 a.m.

**PLACE:** Board of Supervisors' Room  
County Administration Center  
25 County Center Drive  
Oroville, CA 95965

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL** - Commissioners Becker, Marin, Moore, Wilson and Chair Nelson.
- III. ACCEPTANCE OF AGENDA** - Commission members and staff may request additions, deletions, or changes in the Agenda order.
- IV. 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).
- V. CONSENT CALENDAR** – Items placed on the Consent Calendar are considered routine and non-controversial. Any member of the Planning Commission, any interested person or staff may request that an item be removed from the consent calendar in order to address the Commission. The recommendation of County staff is indicated below. It is only a recommendation and has not yet been considered by the Planning Commission. Copies of the Staff Report are available at the Planning Division Office between 8:00 a.m. and 12:00 p.m. Monday through Friday, or on the Butte County Department of Development Services website at <http://tinyurl.com/pcagendas>.
  - A. DET10-0009**  
**Name:** Dale Ulsh    **Project:** Legal Lot Determination  
**Planner:** Mark Michelena    **APN:** 056-410-031    **Zoning:** TM-5

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**Location:** The parcel is located between Garland Road and Platt Mt Road, approximately 500 feet west of State Route 32, north of Forest Ranch.

**Proposal:** Legal Lot Determination/Certificate of Compliance

**Staff Recommendation:** Grant the exception and approve the Certificate of Compliance, subject to conditions

There is a 15-day appeal period on decisions with the Clerk of the Board.

**VI. PUBLIC HEARINGS** - 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. UP09-0005 (Continued open from August 26, 2010)**

**Name:** Dennis & Patricia Webber-Smith

**Project:** Use Permit

**APN:** 027-100-028

**Zoning:** A-5

**Planner:** Mark Michelena

**Location:** The project site is located on the south side of She-Yo Lane (a private road) approximately 600 feet east of Reservoir Road (county-maintained) at 42 She-Yo Lane, Oroville.

**Proposal:** This is an application for a Use Permit for an existing retail sales and storage of hay/feed. Butte County Code Section 24-90 (c)(3) requires a Use Permit to establish a feed/hay store in this zone. Existing buildings are set back at least 10 feet from property lines (required side and rear yard setbacks in the A-5 zone are 5 feet). Hours of operation for the business are proposed to be 8 am to 6 pm, Monday through Saturday, and Sunday 10 am to 6 pm. Access to the business is located along the eastern edge of the parcel.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration pursuant to CEQA, and approve the use permit, subject to conditions

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

**B. UP08-0003**

**Name:** Ed Tech

**Project:** Use Permit

**APN:** 030-230-069 – 072 and 079

**Zoning:** AR-5 (Agricultural Residential, 5-acre)

**Planner:** Mark Michelena

**Location:** The project site is located just on the north side of Oro Dam Blvd. West, approximately 2.9 miles east of SR-99, and situated 50 feet west of Christian Avenue in West Thermalito, Oroville

**Proposal:** A Use Permit to establish a commercial nursery in the AR-5 zone. The applicant is also requesting an exception request to frontage improvements along State Highway 162.

**Staff Recommendation:** Denial of the exception request, adopt the Mitigated Negative Declaration pursuant to CEQA, and approve the use permit, subject to conditions

**C. TPM09-0008**

**Name:** Jessie McCord

**Project:** Tentative Parcel Map

**APN:** 017-030-007

**Zoning:** FR-10 (Foothill Residential - 10 Acre Minimum Parcel Size)

**Planner:** Stacey Jolliffe

**Location:** On the easterly side of Centerville Road, approximately ¼ mile north of the Helltown Road intersection, in the Butte Creek Canyon area

**Proposal:** Tentative Parcel Map to comply with a condition of a recorded Conditional Certificate of Compliance (CCOC). A single-family dwelling is proposed for a portion of the parcel, which is currently improved with a graded driveway, gate, septic system and well.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration pursuant to CEQA, and approve the tentative parcel map, subject to conditions.

**D. UP09-0002**

**Name:** Universal Life Church

**Project:** Use Permit

**APN:** 063-300-049

**Zoning:** U (Unclassified) & S-H (Scenic Highway)

**Planner:** Stacey Jolliffe

**Location:** On the east side of Highway 32 at its intersections with Santos Ranch Road and Autumn Lane, west of Forest Ranch, at 13524 Autumn Lane, Chico, CA 95928

**Proposal:** A Use Permit for the existing Universal Life Church of Chico (Church)

**Staff Recommendation:** Continue the project off-calendar and re-notice

**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 has 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. Butte County General Plan 2030 Status Report

C. Status Report on Interim Amendments to Butte County Code

D. Update on Recent Board of Supervisors' Actions



- E. Legislative Case Law Update
  - F. Planning Commission Concerns
- VIII. COMMUNICATIONS** - Communications received and referred. (Copies of all communications are available in the Planning Division Office.)
- IX. MINUTES**
- A. August 26, 2010
- X. ADJOURNMENT**