

Butte County Department of Development Services

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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

October 28, 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. Resolution supporting exception request to previously approved Conditional Certificate of Compliance – (DET /CCOC 88-000930)

Name: Dale Ulsh **Project:** Legal Lot Determination

Planner: Mark Michelena **APN:** 056-410-032 **Zoning:** TM-5



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: Exception request to the required 60-foot easement to a county or state road.

Staff Recommendation: Grant the exception to satisfy the access condition of the existing recorded Conditional Certificate of Compliance.

B. DET10-0012

Name: Rhyne Christopher **Project:** Legal Lot Determination

Planner: Mark Michelena **APN:** 056-410-020 **Zoning:** TM-5

Location: The project parcel is located on the east side of Highway 32, approximately 930 feet north of Platt Mountain Road, north of the Forest Ranch area

Proposal: Legal Lot Determination/Certificate of Compliance

Staff Recommendation: Approve the Certificate of Compliance, subject to conditions.

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

C. DET10-0013

Name: Rhyne **Project:** Legal Lot Determination

Planner: Mark Michelena **APN:** 056-410-021 & 022 **Zoning:** TM-5

Location: The project parcels are located on the east side of Highway 32, approximately 930 feet north of Platt Mountain Road, north of the Forest Ranch area

Proposal: Legal Lot Determination/Certificate of Compliance

Staff Recommendation: 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. 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: Continue the project open until January 27, 2011

B. TSM09-0003

Name: Schuster Homes Inc

Project: Tentative Subdivision Map (Mandville Park)

APN: 047-440-037

Zoning: Mark Michelena

Location: The project site is located on the west side of Garner Lane, just north of the intersection of Garner Lane and Guntren Road, at 13891 Garner Lane, Chico. The project site is also located at the south end of Persimmon Lane.

Proposal: A Tentative Subdivision Map to divide 26.4[±] acres into twenty-five (25), 1-acre residential parcels and one (1) 1.4 acre detention pond lot.

Staff Recommendation: Based on the Butte County Airport Land Use Commission inconsistency determination, staff is recommending to the Planning Commission denial of the proposed project.

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.)

- A. A letter from John Christofferson dated September 23, 2010 is attached relative to the withdrawal of Tentative Parcel Map TPM08-0006 for Robert Cameron.

IX. MINUTES

- A. September 23, 2010

X. ADJOURNMENT

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