

Butte County Department of Development Services

TIM SNELLINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR

7 County Center Drive
Oroville, CA 95965
(530) 538-7601 Telephone
(530) 538-7785 Facsimile



ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION Regular Meeting AGENDA

October 13, 2011

TIME: 9:00 am

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL – Commissioners Becker, Kennedy, Marin, Nelson and Chair Wilson.

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. 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. TSM06-0014

Applicant: Pacific West Homes, Inc.

Planner: Mark Michelena

G.P.: MDR (Medium Density Residential)

Location: On the north side of Oro-Bangor Hwy, 3,000 feet west of Foothill Blvd,

Project: Tentative Subdivision Map

APN: 078-360-025, 028 & 034

Zoning: A-R (Agriculture Residential)

south of Oroville.

Proposal: A request for a Tentative Subdivision Map to subdivide three parcels totaling 12.8 acres into 23 residential lots.

Staff Recommendation: Approve the resolution denying the project without prejudice.

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

B. TSM09-0002

Applicant: Sunridge Developments, LP **Project:** Tentative Subdivision Map

Planner: Mark Michelena **APN:** 031-275-006 & 007

G.P.: RR (Rural Residential) and VLDR (Very Low Density Residential)

Zoning: A-R (Agriculture Residential)

Location: On the west side of 10th Street, at the northwest corner of Feather Avenue and 10th Street, in the Thermalito area of Oroville.

Proposal: A request for a Tentative Subdivision Map to divide two parcels totaling approximately 2.52 acres into 16 parcels.

Staff Recommendation: Approve the resolution denying the project.

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

10:30AM TIMED ITEM

C. Draft Marijuana Dispensaries Ordinance

Applicant: Butte County

Project: Marijuana Dispensaries

APN: Various

Zoning: Various

Location: County-wide (all of unincorporated Butte County)

Proposal: Butte County has proposed an ordinance prohibiting the establishment, development, construction, maintenance, or operation of a marijuana dispensary. The ordinance states that marijuana dispensaries are not a permitted or conditionally permitted use in any zoning district, even if located within an otherwise permitted use. The ordinance provides that when a person violates the ordinance, the County may use any or all remedies available to it.

Staff Recommendation: Staff recommends the Planning Commission review the requirements of the Draft Marijuana Dispensaries Ordinance, consider comments from all interested members of the public, and recommend approval as appropriate to the Board of Supervisors.

VI. 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. General Plan Follow-up and Implementation Program

C. Update on Recent Board of Supervisors' Actions

D. Legislative Case Law Update

E. Planning Commission Concerns

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

VIII. MINUTES

July 28, 2011 and August 25, 2011

IX. ADJOURNMENT