

Butte County Department of Development Services
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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

November 8, 2012

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 Kennedy, Marin, Nelson, Wilson and Chair Becker.

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. Items removed from the consent calendar will be heard during the public hearings portion of the agenda. The recommendation of County staff is indicated below. It is only a recommendation and has not yet been considered by the Planning Commission.

A. [Savage-Low DET12-0003](#)

Applicant: Farrell Savage-Low

Project: Legal Lot Determination

Planner: Mark Michelena

APN: 028-380-006

G.P.: (at the time parcel was created) – Grazing and Open Land

G.P.: (current) - RR (Rural Residential)

Zoning: (at the time parcel was created) – A-5 (Agriculture 5-ac minimum)

Zoning: (current) - A-5

Zoning: (proposed) – RR-5 (Rural Residential 5-acre minimum)

Location: On the west side of the Oro Bangor Highway, about 0.57-mile south of Swedes Flat Road, southeast of Oroville

Staff Recommendation: Adopt the Resolution Approving Legal Lot Determination / Certificate of Compliance DET12-0003 (Farrell Savage-Low).

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

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. [Helena Chemical Nelson Terminal](#)

Applicant: Helena Chemical Company

Project: Zoning Code Amendment ZCA11-0002 & Use Permit UP10-0003

Planner: Stacey Jolliffe & Steve Troester **APN:** 038-260-013 & 014

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: Adopt two resolutions for approval of the project as follows:

- a. Adopt the 'CEQA' resolution certifying the EIR and making environmental findings (Includes Exhibit 1, Summary of Project Environmental Impacts).
- b. Adopt the Project Resolution: making findings regarding significant and unavoidable impacts adopting a mitigation monitoring and reporting program; and approving Use Permit UP10-0003 with conditions of approval, and recommending that the Board of Supervisors approve ZCA11-0002.

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

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

- D. Legislative Case Law Update
- E. Planning Commission Concerns

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

IX. MINUTES - None

X. ADJOURNMENT