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BUTTE COUNTY PLANNING COMMISSION AGENDA

December 8, 2016

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 Chase, Donati, Grundmann, John and Chair Kennedy.

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. Minor Use Permit MUP16-0013

Applicant: Peter LeDuc

Planner: Tristan Weems

APN: 047-670-030

General Plan: Low Density Residential – North Chico Specific Plan

Zoning: VLDR/SR-1 (Very Low Density Residential/Suburban Residential – one-acre minimum)

Location: 4047 Spyglass Road, southwest corner of Kittyhawk Drive and Spyglass Road, approximately 2000 feet west of Garner Lane /Spyglass Road intersection, Chico.

Request: A request to construct a 294 square foot solar array at a maximum height of 14 feet on a 1.06-acre parcel in the VLDR/SR-1 zone. The height allowed 'by right' in the zone is 8 feet. The Butte County Zoning Administrator has referred this application to the Planning Commission.

CEQA Determination: Staff has determined the request to be categorically exempt from environmental review under Section 15303 of the CEQA Guidelines (Class 3 - New Construction or Conversion of Small Structures).

Staff Recommendation: Adopt the resolution finding the project is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines and approve the Minor Use Permit MUP16-0013 with findings and conditions.

Staff Report

B. Tentative Parcel Map TPM10-0004

Applicant: Courtney Nelson

Planner: Mark Michelena **APN:** 017-180-072

General Plan: Foothill Residential

Zoning: FR-5 (Foothill Recreational - 5-acre min - at time of project completeness)
FR-20 (Foothill Residential - 20-acre min – current)

Location: 1816 Honey Run Road, south side of Honey Run Road, approximately 1800 feet (0.34 miles) east of the intersection of Honey Run Road and Centerville Road, east of Chico.

Request: A request for a Tentative Parcel Map to divide a 36-acre property into four lots (two at 5 acres, one at 5.3 acres and one at 20.7 acres). Proposed Parcel 1 (with the existing residence and accessory buildings) will be accessed by Honey Run Road, a publicly-maintained road. Proposed Parcels 2 and 3 will be served by the private cul-de-sac. The existing and future residential uses would be served by individual septic systems and private wells. The General Plan land use designation of the project site is FR (Foothill Residential, 1 to 40 acres). The project site is currently zoned FR-20 (Foothill Residential - 20-acre minimum), but was FR-5 (Foothill Recreational - 5-acre minimum) at the time the project was deemed complete.

The applicant is requesting an exception (Butte County Code Section 20-4 – Exceptions to Design Requirements) to the road standard of a 20-foot wide for the cul-de-sac. They are requesting 18 feet.

CEQA Determination: A draft Initial Study and Mitigated Negative Declaration has been prepared for the project.

Staff Recommendation: Adopt the resolution adopting the Initial Study/Mitigated Negative Declaration, denying the exception request and approving the Tentative Parcel Map with findings and conditions.

Staff Report

C. Road Abandonment RA16-0002

Applicant: Donald Neher

Planner: Stacey Jolliffe

APN: Adjacent to 033-088-003 thru -007

General Plan: Medium Density Residential

Zoning: MDR (Medium Density Residential – 6,000 square foot minimum)

Location: The location of the proposed Road Abandonment is a portion of unnamed alley between Incline Avenue and Reicker Avenue (undeveloped), and between Colina Way and Arrow Way (undeveloped), in Block 56 of the Western Addition to Oroville. The portion of the alley to be abandoned lies between 296 Incline Avenue and 296 Arrow Way in Oroville.

Request: A request to abandon a portion of an alley between Incline and Reicker Avenues in the Western Addition area of Oroville. No roadway improvements are located within affected rights of way and affected parcels are already served by other roadways. The Butte County Public Works Department has determined that there is no need for these streets in the future to provide access. No public services easements (PSE's) will be reserved for utilities as a part of this abandonment as there are no utilities in the right of way at this time. Affected utility companies have indicated that PSEs are not necessary. The Planning Commission will review the proposed abandonment and make a recommendation to the Board of Supervisors regarding whether the following project is consistent with the Butte County General Plan.

CEQA Determination: Staff has determined the request to be categorically exempt from environmental review under Section 15305 of the CEQA Guidelines (Class 5 - Minor Alterations in Land Use Limitations).

Staff Recommendation: Adopt the resolution finding the project is exempt from CEQA pursuant to Section 15305 of the CEQA Guidelines and finding the Road Abandonment to be consistent with the Butte County General Plan.

Staff Report

D. Conditional Use Permit UP15-0005 and UP14-0002 – Status Report on Compliance with Conditions of Approval.

Applicant: Old Durham Wood, Inc.

Planner: Rowland Hickel

APN: 040-120-033

General Plan: Agriculture

Zoning: AG-40 (Agriculture – 40-acre minimum parcel size)

Location: 1156 Oroville-Chico Highway, approximately five miles southeast of Chico, westerly of Highway 99 and 1.8 miles north of the Durham-Pentz Road exit to Highway 99.

Request: At the February 25, 2016 meeting, the Planning Commission approved Conditional Use Permit UP15-0005 for Old Durham Wood, Inc. amending Conditional Use Permit UP14-0002 to establish a security employee unit; permit temporary use of a recreational vehicle during construction; construct permanent

sanitation facilities; and relocate the hazardous materials depot. In approving UP15-0005, the Planning Commission reviewed the applicant's progress in complying with conditions of approval for Conditional Use Permit UP14-0002. On June 30, 2016, October 27, 2016 and November 10, 2016, DDS staff reported to the Planning Commission on the status of the applicant's progress towards compliance with the conditions of approval.

CEQA Determination: No action is being considered by the Planning Commission, and therefore this item is not considered a project for the purposes of the California Environmental Quality Act, pursuant to CEQA Guidelines §15060(c).

Staff Recommendation: Receive the report of staff on the current status of the Old Durham Wood facility and their compliance with Conditional Use Permit UP14-0002, and the UP15-0005 amendment, and provide direction to staff.

Staff Memorandum

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 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 and 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:

- [September 22, 2016](#)

IX. ADJOURNMENT