



## BUTTE COUNTY PLANNING COMMISSION ACTION MINUTES

February 23, 2017

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

*Chair John called the meeting to order at 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 Chase, Donati, Grundmann, Kennedy, and Chair John.

*Present: Commissioners Chase, Donati, Kennedy and Chair John*  
*Absent: Commissioner Grundmann*

*Others present*

*County Counsel: Felix Wannemacher, Chief County Counsel*  
*Land Development: Tom Fossum, Deputy Director*  
*Environmental Health: Kristen McKillop, Manager, Program Development*  
*Development Services: Pete Calarco, Assistant Director*  
*Chuck Thistlethwaite, Manager, Planning Division*  
*Mark Michelena, Planner, Senior*  
*Kim McMillan, Administrative Assistant, Senior*

### III. ACCEPTANCE OF AGENDA – Commission members and staff may request additions, deletions or changes in the Agenda order.

*A motion to accept the agenda was made by Commissioner Donati and seconded by Commissioner Kennedy.*

*Vote*

*Ayes: Commissioners Chase, Donati, Kennedy and Chair John*  
*Noes: None*  
*Absent: Commissioner Grundmann*  
*Abstain: None*

### 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).

None

- 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. General Plan Amendment, Rezone and Specific Plan Amendment GPA16-0001/REZ16-0002/SPA16-0001**

**Applicant:** Courtesy Automotive Center

**Planner:** Mark Michelena                      **APN:** 006-400-061, - 063, -064, -065 & -066

**General Plan:** Industrial

**Zoning:** GI-NCSP (General Industrial/Light Industrial - North Chico Specific Plan Overlay)

**Location:** East side of Garner Lane, approximately 0.25 miles south of the intersection of Garner Lane and State Route 99, north of Chico.

**Request:** A request to amend the General Plan Land Use Map to change the project site's designation from Industrial (I) to Retail and Office (RTL); to amend the Zoning Map to change the zoning of the site from GI (General Industrial) to G-C (General Commercial), to amend the North Chico Specific Plan land use designation from Light Industrial (M-1) to General Commercial (C-2); and amend the North Chico Specific Plan to allow Service Stations as a permitted use in the General Commercial designation. The proposed amendments would allow the development of an Automotive Sales Center with five automobile dealerships, service and collision repair, car wash/detail shop, convenience store and a service station. Onsite improvements would consist of buildings, vehicle display, employee and customer parking, landscaping, walkways, lighting, stormwater measures, and wastewater treatment. The applicant proposes abandonment of right-of-way along the east side of Garner Lane near State Route 99.

**CEQA Determination:** Initial Study/Mitigated Negative Declaration

**Staff Recommendation:** Adopt the Resolution making findings and recommending adoption of the Initial Study/Mitigated Negative Declaration and approval of the General Plan Amendment, Rezone and Specific Plan Amendment to the Board of Supervisors.

**Staff Report**

*Pete Calarco presented a general introduced this project to the Commission.*

*Chuck Thistlethwaite and Mark Michelena presented this item to the Commission.*

*Correspondence was received from the following members of the public:*

*Mr. Jeff Cripe – Cripe Orchards 3761 Esplanade*

*Mr. Sanchez – 3721 Esplanade*

*Vanessa Smith – 34 Hawk Street*

*Kristin McWilliams*

*Central Valley Regional Water Quality Control Board*

*Butte Local Agency Formation Commission (BUTTE LAFCO)*

*Department of Transportation (CALTRANS)*

*City of Chico*

*Members of the public who addressed the Commission:*

*Will Clark*

*Jeff Cripe*

*Jim Stephens*

*Colleen Cecile – Butte County Farm Bureau*

*Mark Wolfe – City of Chico Community Development*

*Brendan Ottoboni – City of Chico Public Works*

*Michael Catterani*

*Bob Fitzgerald*

*Rick McWilliams*

*Jerry Pajouh - applicant*

*A motion to adopt the resolution making findings recommending approval of the initial study and mitigation negative declaration and recommending approval of the General Plan Amendment Rezone and Specific Plan Amendments to the Board of Supervisors; General Plan Amendment from Industrial to Retail and Office; Rezone from General Industrial to General Commercial Specific Plan Amendment from Light Industrial to General Commercial and change service stations from requiring a Use Permit to a permitted use in the C2 designation of the North Chico Specific Plan was made by Commissioner Kennedy and seconded by Chair John.*

*Vote*

*Ayes: Commissioners Kennedy and Chair John*

*Noes: Commissioners Chase and Donati*

*Absent: Commissioner Grundmann*

*Abstain: None*

*A motion to adopt the resolution making findings recommending approval of the initial study and mitigation negative declaration and recommending approval of the General Plan Amendment Rezone and Specific Plan Amendments to the Board of Supervisors; General Plan Amendment from Industrial to Retail and Office; Rezone from General Industrial to General Commercial; Specific Plan Amendment from Light Industrial M1 to General Commercial C2 was made by Commissioner Donati and seconded by Commissioner Chair John.*

*Vote*

*Ayes: Commissioners Donati and Chair John*

*Noes: Commissioners Chase and Kennedy*

*Absent: Commissioner Grundmann*

*Abstain: None*

*A brief discussion was held between Commissioners. Following the discussion Commissioner Donati restated his motion.*

*A motion to adopt the resolution making findings recommending approval of the initial study and mitigation negative declaration and recommending approval of the General Plan Amendment Rezone and Specific Plan Amendments to the Board of Supervisors; General Plan Amendment from Industrial to Retail and Office; Rezone from General Industrial to General Commercial; Specific Plan Amendment from Light Industrial M1 to General Commercial C2 was made by Commissioner Donati and seconded by Chair John.*

*Vote*

*Ayes: Commissioners Donati, Kennedy and Chair John*

*Noes: Commissioner Chase*

*Absent: Commissioner Grundmann*

*Abstain: None*

**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

*Chuck Thistlethwaite reported that Development Services did have items that were scheduled to be heard at the Board of Supervisors meeting on February 14, 2017 meeting, however, due to the Oroville Spillway incident these items have been rescheduled to February 28, 2017.*

B. General Plan Follow-up and Implementation Program

*None*

C. Update on Recent Board of Supervisors' Actions

*None*

C. Legislative Case Law Update

*Felix Wannemacher hopes to bring forward the training on Takings discussion at the next Planning Commission meeting on March 23, 2017.*

*The Commission will revisit and need to amend the 2<sup>nd</sup> Dwelling Unit Ordinance due to changes in State law that went into effect January 2017. This will be brought forward sometime this year.*

E. Planning Commission Concerns

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

*None*

**VIII. MINUTES**

A. None

**IX. ADJOURNMENT**

A handwritten signature in black ink, appearing to read "John", is written over a horizontal line.

Chair John