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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

September 26, 2013

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 Donati, Nelson, Wilson 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. VARIANCE VAR13-0001 Scott (Continued open from August 22, 2013)

Applicant: Shane D. Scott

Project: VAR13-0001

Planner: Rowland Hickel, Senior Planner **APN:** 038-180-033

G.P.: AG (Agriculture)

Zoning: AG-20 (Agriculture, 20 acre density)

Location: The project site is located at 2286 White Drive, approx. ½ mile west from Midway, and 2.4 miles south from Durham-Dayton Highway.

Staff Recommendation: Commission to consider whether the material facts presented before them support adoption of a resolution for approval. If approval cannot be supported, staff recommends adoption of a resolution for denial with a recommendation to the Board of Supervisors to investigate alternative options for reduced setbacks in the Agriculture zone.

B. MAI10-0007 Pine Creek Mine Reclamation Certification/Permit Expiration

Applicant: Anderson Brothers Corp.

Project: MAI10-0007

Planner: Rowland Hickel, Senior Planner **APN:** 047-070-025

G.P.: AG (Agriculture)

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

Location: The project site is located within the confines of Pine Creek, approx. ½ mile upstream from State Route 99, and along the Tehama County and Butte County boundary.

Staff Recommendation: Find the project to be categorically exempt from CEQA and adopt the resolution certifying reclamation of the Pine Creek Mine and expiring Use Permit (UP 65-50) and Reclamation Plan (RP 79-31).

C. Request for Determination RFD13-0007 (Butte County)

Applicant: BC General Services on behalf of Public Works

Project: RFD13-0007

Planner: Stacey Jolliffe, Principal Planner **APN:** 025-190-092

G.P.: Agriculture

Zoning: AG-40 Agricultural, 40-acre minimum parcel size

Location: North of Ord Ranch Road, approximately 0.3 miles east of State Route 99, northeast of the city of Gridley

Staff Recommendation: Forward a determination of General Plan consistency to the Board of Supervisors relative to acquisition of a 0.73 acre property from the State Department of Transportation (DOT).

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 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 25, 2013 & August 22, 2013

IX. ADJOURNMENT