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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION ACTION MINUTES

June 25, 2009

TIME: 9:00 a.m.

The meeting was called to order at 9:05 am by Vice Chair Nelson.

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL - Commissioners Becker, Moore, Nelson, Wilson and Chair Marin.

Commissioners Becker, Moore, Nelson, Wilson were present. Chair Marin was absent.

The following Butte County Staff were also present:

<i>County Counsel:</i>	<i>Bruce Alpert, County Counsel</i>
<i>Development Services:</i>	<i>Chuck Thistlethwaite, Planning Division Manager</i>
	<i>Mark Michelena, Senior Planner</i>
	<i>Steve Troester, Senior Planner</i>
	<i>Tina Bonham, Commission Secretary</i>
<i>Environmental Health:</i>	<i>Doug Fogel, Program Manager</i>
<i>Public Works:</i>	<i>Eric Schroth, Associate Civil Engineer</i>

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

Chuck Thistlethwaite requested to remove consideration of the May 14, 2009 minutes from the agenda.

Motion to accept agenda as amended was made by Commissioner Wilson, and seconded by Commissioner Moore.

Ayes: Commissioners Becker, Moore, Nelson and Wilson.
Absent: Chair Marin.

Noes: 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

- A. TPM07-0018** – continued closed from May 14, 2009; staff recommends approval
Name: Daniel Austin **Project:** Tentative Parcel Map
Planner: Steve Troester **APN:** 069-420-034 **Zoning:** AR-1
Location: The project is located at 19 Quail Ridge Road (approximately 150-feet south of the Quail Ridge Road and Olive Highway intersection, west of the City of Oroville and inside the City’s Sphere of Influence.
Proposal: A request for A Tentative Parcel Map to divide an approximately 12.5-acre parcel into three parcels of (2) 5 and 2.5 acres is size. At the May 14, 2009 meeting, the Commission closed the public hearing and adopted a motion of intent to approve the project.

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

A motion to approve the project was made by Commissioner Becker and seconded by Commissioner Moore.

Ayes: Commissioners Becker, Moore and Nelson.

Abstain: Commissioner Wilson.

Absent: Chair Marin.

Noes: None.

- B. UP07-0001** – continued open from February 25, 2009; staff recommends denial without prejudice.
Name: Arthur & Sharan Quigley **Project:** Use Permit
Planner: Steve Troester **APN:** 017-050-009 **Zoning:** FR-10
Location: The project is located at 13457 Centerville Road (on the west side of Centerville Road, just north of the bridge over Butte Creek), approximately 6.5-miles east of the City of Chico and 1.65-mile west of the Town of Paradise.
Proposal: A request for a Use Permit to operate an outdoor commercial recreational facility. The facility is proposed to host a variety of activities and events, including artist gatherings, birthday celebrations, business meetings, exercise/meditation classes, family gatherings/reunions, nature/wildlife watching, weddings and wedding receptions. This item was continued open from the February 26, 2009 Commission meeting.

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

A motion to continue this item open to the August 27, 2009 meeting was made by Commissioner Wilson and seconded by Commissioner Becker.

Ayes: Commissioners Becker, Nelson and Wilson.
Absent: Chair Marin.
Noes: Commissioner Moore.

- C. Project:** UP09-0001 – Staff recommends approval.
Name: Kirshner Wildlife Foundation **Project:** Use Permit
Planner: Steve Troester **APN:** 041-030-110 **Zoning:** U
Location: The project is located on the north side of Durham-Pentz Highway, approximately 1/3 of a mile east of Messilla Valley Road, approximately 7 miles east of Highway 99, and approximately 3/4 of a mile west of Pentz Road, Butte County.
Proposal: A request for a use permit to develop an animal wildlife sanctuary facility on a +/-18.27 acre parcel.

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

A motion to approve the project was made by Commissioner Wilson and seconded by Commissioner Moore.

Ayes: Commissioner Becker, Moore, Nelson and Wilson
Absent: Chair Marin
Noes: None

- D. Projects: GPA06-0002; REZ06-0004 & TSM06-0011** – staff recommends denial
Name: Charles Jones **Project:** General Plan Amendment, Rezoning, and Tentative Subdivision Map
Planner: Mark Michelena **APNs:** 039-240-028 & 039-240-059
Zoning: A-20

Location: The project site is bounded by Durham-Dayton Highway to the north, Burdick Road to the south and Turner Lane to the east, and located west of the community of Durham. (Assessor's Parcel Numbers 039-240-028 & 039-240-059).

Request: A General Plan Amendment from OFC (Orchard & Field Crops) to AR (Agricultural Residential); a Rezone from A-20 (Agriculture 20-acre minimum) to SR-1 (Suburban Residential 1-acre minimum); and a Tentative Subdivision Map to divide two parcels into 46 single-family lots and with a community septic system. Staff recommends that the Planning Commission make a recommendation to the Board of Supervisors of denial of the proposed applications.

A motion to deny the applications was made by Commissioner Wilson and seconded by Commissioner Moore.

Ayes: Commissioner Becker, Moore, Nelson, and Wilson.
Absent: Chair Marin.
Noes: None.

- E. Project:** MUP08-0001 – staff recommends approval
Name: Verizon Wireless **Project:** Minor Use Permit

Planner: Mark Michelena **APN:** 025-200-119 **Zoning:** A-40

Location: On the southeast corner of Highway 99 and Ord Ranch Road, at 46 Ord Ranch Road, adjacent to, and within the sphere of, the City of Gridley.

Proposal: Verizon Wireless is requesting approval to collocate and operate a telecommunications facility an existing 180-foot tall lattice tower owned by American Tower Corporation.

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

A motion to approve project was made by Commissioner Moor and seconded by Commissioner Wilson.

Ayes: Commissioners Becker, Moore, Nelson and Wilson.

Absent: Commissioner Marin.

Noes: None.

VI. GENERAL BUSINESS

- A. Directors' Report
- B. General Plan/Zoning Ordinance Update
 - 1. General Plan 2030
 - 2. Interim Amendments Status
- C. Update of Board of Supervisors' Actions
- D. Legislative Case Law Update
- E. Planning Commission Concerns

VII. CLOSED SESSION

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

IX. MINUTES –

- A. April 23, 2009

A motion to approve the April 23, 2009 minutes was made by Commissioner Moore and seconded by Commissioner Wilson.

Ayes: Commissioner, Becker, Moore, Nelson and Wilson.

Absent: Chair Marin.

Noes: None.

X. ADJOURNMENT

The meeting was adjourned at 1:30 pm.