

Butte County Department of Development Services
TIM SNELLINGS, DIRECTOR | PETE CALARCO, ASSISTANT DIRECTOR



7 County Center Drive
Oroville, CA 95965
(530) 538-7601 Telephone
(530) 538-7785 Facsimile

ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

January 26, 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 Becker, Kennedy, Marin, Nelson and Chair Wilson.

III. SELECTION – Selection of Chair, Vice Chair and Second Vice Chair for 2012.

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

V. ADOPTION OF PLANNING COMMISSION REGULAR MEETING CALENDAR FOR 2012

VI. 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).

VII. 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. DET11-0003

Applicant: Eric & Yachiyo Millington
Planner: Mark Michelena
G.P.: FR (Foothill Residential)

Project: Legal Lot Determination
APN: 072-350-007
Zoning: M-R (Mountain or Recreation
Subdivision-Residential)

Location: Between Bandit Lane (to south) and Black Bart Road (to north), approximately 1.5 miles southeast of Forbestown Road.

Proposal: A Legal Lot Determination (Conditional Certificate of Compliance) is requested for a 5.01± acre property.

Staff Recommendation: Adopt the resolution for the subject property finding that DET11-0003 is categorically exempt from review under CEQA and approving the Conditional Certificate of Compliance subject to conditions.

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

VIII. 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. DET11-0004

Applicant: Marvin Wiseley

Planner: Stacey Jolliffe

G.P.: FR (Foothill Residential)

Project: Legal Lot Determination

APN: 058-840-011

Zoning: FR-10 (Foothill Recreational)
10-ac minimum parcel size)

Location: 4400 Pine Cluster Lane, Concow. The subject parcel is accessed from Highway 70 to Concow Road, approximately 0.65 miles to Pine Cluster Lane, and finally about 0.85 miles to the subject property.

Proposal: A Legal Lot Determination / Conditional Certificate of Compliance is requested for a 17.78±-acre property, together with a request for exception to reduce the 60' access width standard to 30'.

Staff Recommendation: Adopt Resolution B, finding DET11-0004 categorically exempt from review under CEQA, granting the exception request to allow a 30' access for one single-family home, and approving the Conditional Certificate of Compliance subject to conditions.

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

B. WAV11-0001

Applicant: CF Koehnen

Planner: Mark Michelena

G.P.: Agriculture (AG) **Zoning:** A-40 (Agricultural, 40-acre minimum parcel size)

Location: On the east side of Aguas Frias Road, south of Durham Dayton Highway, near the community of Dayton.

Proposal: A Waiver of Parcel Map to divide a 124.65±-acre parcel into three parcels; Parcel 1 is 41.66±-acres, Parcel 2 is 41.35±-acres, and Parcel 3 is 41.66±-acres

Staff Recommendation: Adopt the attached resolution, adopting a Mitigated Negative Declaration and approving the project subject to the conditions and mitigation measures in Exhibit A

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

C. GRD06-0001

Names: Signalized intersection West, LLC **Project:** Grading Permit

Planner: Chris Thomas

APN: 017-090-138 & 139

G.P.: Agriculture (AG)

Zoning: FR-5/FR-20

Location: The project is located in Butte Creek Canyon on the northerly side of Centerville Road., approximately two miles northeast of the Honey-Run Road and Centerville Road intersection, and 1600 feet northeast of Cable Bridge Drive

Proposal: Application requesting Planning Commission approval of a grading permit pursuant to Butte County Code Section 13-3. The application was denied by the Butte County Board of Supervisors on September 23, 2008, but the project is being reconsidered pursuant to a July 14, 2010 ruling by the Butte County Superior Court.

All testimony and documents previously received remain part of the record for this matter. Additional testimony and documents may be given during the comment period and at the public hearing. The project involves the grading and paving of an existing 400 foot road cut into the hillside above Centerville Road and some 2,900 feet of existing dirt roads for access to upslope home sites on two parcels.

Staff Recommendation: Adopt the attached resolution, adopting a Mitigated Negative Declaration (MND) pursuant to the CEQA and approving the Grading Permit GRD 06-01 for Signalized Intersection West, LLC, subject to the findings and conditions and mitigation measures in Exhibit A.

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

10:30 a.m. TIMED ITEM

D. Draft EIR for Paradise Summit

Names: Wyckoff & Associates, LLC

Project: Draft Environmental Impact Report for a Planned Unit Development and Tentative Subdivision Map

Planner: Pete Calarco

APNs: 055-300-013,038,099,101,102,103,109 and 055-310-023

G.P.: PUD Planned Unit Development with a maximum of 335 units

Zoning: AR-1 (Agricultural Residential 1-acre minimum parcel size) for +/-152 acres; AR-2.5 (Agricultural Residential 2.5-acre minimum parcel size) for +/-181 acres

Location: Approximately 1/5 mile south of the Town of Paradise and is within the Paradise Sphere of Influence in Butte County. The nearest cross streets are Pentz Road at Lago Vista Way and Lindenbaum Lane. The development portion of the site is approximately 1/2 mile east of Pentz Road and west of the West Branch of the Feather River as it enters/becomes Lake Oroville.

Proposal: The project is a tentative subdivision map to divide +/-333 acres composed of eight Assessors Parcel Numbers into 312 single-family residential parcels varying in size from 8,738 square feet (SF) to 32,099 SF, and various lots for open space. The tentative subdivision map is being processed concurrently with an application for a rezone of the site to Planned Unit Development (PUD) to allow for clustering of the 312 residences within a +/-137-acre area of the site, while preserving +/-195 acres as open space, to help protect sensitive resources and as an amenity to the subdivision. In accordance with the requirements of the California Environmental Quality Act (CEQA), a Draft Environmental Impact Report (EIR) has been prepared and is available for public review and comment for a 45-day period from January 17 through March 1, 2012. Under the Butte County CEQA Procedures, the Planning Commission holds a public hearing to receive public comments on the

Draft EIR during this period.

Staff Recommendation: Conduct a public hearing to receive public comment on the adequacy of the Draft EIR for the Paradise Summit project Environmental Impact Report.

IX. 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 has 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

1. December 6th and 13th, 2011 Board of Supervisors' Actions on Draft Zoning Text
2. December 13th, 2011 Board of Supervisors' Actions on Draft Zoning Map

D. Legislative Case Law Update

E. Planning Commission Concerns

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

XI. MINUTES

November 10, 2012

XII. ADJOURNMENT