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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

April 22, 2010

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 Becker, Marin, Moore, Wilson and Chair Nelson.
- 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. 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. The recommendation of County staff is indicated below. It is only a recommendation and has not yet been considered by the Planning Commission. Copies of the Staff Report are available at the Planning Division Office between 8:00 a.m. and 12:00 p.m. Monday through Friday, or on the Butte County Department of Development Services website at <http://tinyurl.com/2010agendas>.

- A. DET10-0004**
Name: Ronald Slaton **Project:** Legal Lot Determination

Planner: Stacey Jolliffe **APN:** 028-460-008 **Zoning:** M-R
Location: At the end of Maple Lane off of Hurleton-Swedens Flat Rd,
about 1.5 miles west of Rackerby
Proposal: Legal Lot Determination/Certificate of Compliance
Recommendation: Approve Conditional Certificate of Compliance

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

B. DET10-0003

Name: Runge Living Trust **Project:** Legal Lot Determination
Planner: Mark Michelena **APN:** 062-250-005
Zoning: U (Unclassified) **Location:** Buchner Drive, approximately 400
feet east of Zink Road in Berry Creek.
Proposal: Legal Lot Determination/Certificate of Compliance
Recommendation: Approve Conditional Certificate of Compliance

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

VI. OTHER ITEMS

A. PMISC10-0002

Name: County of Butte **Project:** Capital Improvement Program
Planner: Chuck Thistlethwaite **APN:** Various
Zoning: Various **Location:** Countywide
Proposal: The Planning Commission is asked to determine whether the
2010 Capital Improvement Program for FY 2010/2011 through FY
2019/20 is consistent with the Butte County General Plan.
Recommendation: Forward a determination of General Plan consistency
to the Board of Supervisors

VII. PUBLIC HEARINGS - The Chair will call for a presentation of the report of staff. The hearing will 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. TSM06-0012; GPA06-0005 and REZ06-0005

Name: Jeff Ashlock **Project:** Tentative Subdivision Map,
General Plan Amendment, Rezone **APN:** 078-090-043 and 078-09-044
Planner: Mark Michelena
Location: SE corner of Lincoln Blvd and Ophir Road, South of Oroville
Proposal: The GPA would change the land use designation from Industrial
(I) to Commercial, Low Density Residential (LDR) and High Density

Residential (HDR). The REZ would change the zoning from Light Industrial (M-1) to Community-Commercial (C-C) and Residential (R-1 and R-4). The phased tentative subdivision map proposes to subdivide the 49.95 acres (two parcels) into four land use areas: single-family residential (65 lots), multi-family residential (8 parcels with 125 dwelling units), commercial (14.15 acres) and open space (11.4 acres).

Recommendation: 1) Forward a recommendation to the Board of Supervisors to adopt a Mitigated Negative Declaration and approve the proposed General Plan Amendment and an ordinance to rezone the property; and 2) Adopt the Mitigated Negative Declaration per CEQA., and approve the TSM with findings and conditions, including a condition that the project is not operative or entitled until the related General Plan Amendment and Rezone are approved by the Board of Supervisors.

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

B. ZCA10-0002 - Historical and Cultural Resources Inventory

Name: County of Butte **Project:** Code Amendment

Planner: Claudia Stuart **APN:** 047-190-020

Location: 12555 Meridian Road, Chico

Proposal: Amendment of County Code to more effectively implement Policy LUE-6.8 of the existing General Plan, and designation of the Bell House and historical accessory structures to the Butte County Historical and Cultural Resources Inventory.

Recommendation: Forward a Recommendation to the Board of Supervisors to 1) adopt Code Amendment ZCA 10-0002 Butte County Historical and Cultural Resources Inventory and 2) Designate the Bell House and its historical accessory buildings to the Butte County Historical and Cultural Resources Inventory

C. 1:00 PM - Public Comment on Butte County General Plan 2030 Draft Program Environmental Impact Report (DEIR)

Name: County of Butte **Project:** Butte County General Plan 2030

Planner: Dan Breedon DEIR

Location: Unincorporated Butte County

Butte County has prepared a Draft Program Environmental Impact Report for the Butte County General Plan 2030 and associated override of the Butte County Airport Land Use Compatibility Plan. The DEIR has been released for a 60-day public review period starting on Thursday, April 8, 2010, and ending Monday, June 7, 2010. The Planning Commission will conduct a public hearing to receive oral and written public comment on the DEIR. Written comments may also be submitted through the end of the public comment period to the Butte County Department of Development Services c/o Dan Breedon, Principal Planner, 7 County Center Drive, Oroville, California 95965 or via e-mail at dsgeneralplan@buttecounty.net.

VIII. 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. Butte County General Plan 2030 Status Report
- C. Status Report on Interim Amendments to Butte County Code
- D. Update on Recent Board of Supervisors' Actions
- E. Legislative Case Law Update
- F. Planning Commission Concerns

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

X. MINUTES

- A. March 25, 2010

XI. ADJOURNMENT