

**BUTTE COUNTY PLANNING COMMISSION**  
**AGENDA**  
**AUGUST 14, 2003**

**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 Marin, Leland, Nelson, Evans, and Chairman Lambert.

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

**IV. MINUTES** - Planning Commission Minutes of 6/26/03 and 7/24/03.

**V. CONSENT** Consent items are set for action in one motion. These items are considered non-controversial. No presentations will be made, however, some questions may be asked.

The Chair will ask if any commissioner or member of the public wishes to pull a consent item for hearing.

**A. TPM 00-12** - staff recommends denial without prejudice

**Michael Caprealian**, (Item not subject to environmental review), **Tentative Parcel Map** to divide 21.52 acres into two (2) parcels of 11.51 acres and 10.01 acres on property zoned FR-10 (Foothill Recreational – 10 acre parcels). The property is located on the east side of Helltown Road, approximately two (2) miles north of Centerville. APN 011-400-039 (SB) (TPM 00-12)

**B. COR 98-02** – staff recommends denial without prejudice

**Bryce M. Herndon**, (Item not subject to environmental review), **Certificate of Correction** to change a map condition to delete the mandatory homesite locations on Lots 10, 22, 23, and 24 on property zoned “U” (Unclassified) and located on Walden Pound Road, west of Big Fir Road, Forbestown. APN 073-340-041, 042, 043, 044 (SB) (COR 98-02)

**C. UP 01-05** – staff recommends denial without prejudice

**Champion Christian School**, (Item not subject to environmental review), **Use Permit** to expand an existing gymnasium at the Champion Christian School from 5,400 sq. ft. to approximately 9,000 sq. ft. and to increase the height of the ceiling from 20 ft. to 30 ft. on property zoned P-Q (Public – Quasi-Public) and located on the north side of East Avenue, approximately 400 feet west of Floral Avenue, at 1184 East Avenue (First Church of the Nazarene), Chico. APN 048-300-049 (SB) (UP 01-05)

**D. MUP 02-06** – staff recommends denial without prejudice

**Point BTA 79LLC (Silverbell)**, (Item not subject to environmental review), **Minor Use Permit** for mounting antennas at a height of 70’ RAD center on an existing 120 foot tower and connecting the antennas to telecommunications equipment mounted to the wall within Suite 8 of the existing adjacent building on property zoned C-2 (General Commercial) and located at 3415 Silverbell Road, Suite 8, Chico. APN 007-390-001 (SB) (MUP 02-06)

**E. MUP 02-07** – staff recommends denial without prejudice

**Point BTA 79 LLC (Souder)**, (Item not subject to environmental review), **Minor Use Permit** to install 6 panel antennas on an existing monopole tower at a height of 98 feet and to connect the antennas to Telecommunications equipment within an existing building. The antennas will be used for digital cellular communications systems on property zoned C-1 (Light Commercial). The property is located within a 1.9 acre parcel northeast of and adjacent to State Route 32 (Nord Avenue), approximately ¼ mile northwest of Sacramento Avenue, Chico. APN 043-200-005 (SB) (MUP 02-07)

**F. TPM 99-17** – staff recommends denial without prejudice

**Thomas Reed, Tentative Parcel Map** dividing a 40 acre parcel into two parcels of 15 acres and 25 acres each on property zoned SR-3 (Suburban Residential – 3 acre parcels) and M-1 (Light Industrial). The property is located on the east side of Cohasset Road immediately south of Plummers Lane, north of Chico. APN 048-010-066 and 067 (SB) (TPM 99-17)

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

**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. PUBLIC HEARINGS** The Chair will call for staff comments. The hearing will be opened to the public for proponents, opponents, comments, and rebuttals. The hearing will be closed to the public and discussion confined to the Commission. The Commission will then make a motion and vote on the item.

It is requested that public initiated presentations be 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.

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

**A. UP 03-12** – continued open from June 26, 2003

**Bruce and Sue Miller**, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Use Permit** to allow for replacement and expansion of a legal nonconforming dwelling (cabin). The existing cabin will be demolished and replaced with a new, larger cabin. The parcel is zoned “U” (Unclassified) and currently has a General Plan designation of Timber Mountain and is zoned U (Unclassified). The property is located on the west side of Jones Creek Road, approximately one-quarter mile from the intersection of Humboldt Road and Shake Mill Road, and 260 feet southeast of Humboldt Road, at 9533 Jones Creek Road, Forest Ranch. APN 060-250-003 (MM) (UP 03-12)

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

**B. MUP 03-07** - staff recommends approval

**Stephen Gale**, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Minor Use Permit** to establish a large winery on property zoned A-5 (Agricultural – 5 acre parcels). The property is located on the west side of Stanford Lane, approximately 1,500 feet south of Durham Dayton Highway, in the Durham area. APN 040-200-023 (CS) (MUP 03-07)

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

**C. TPM 03-14** - staff recommends denial

**Kathleen and Lewis Parker**, (Item not subject to environmental review), **Tentative Parcel Map** to divide a 6.35 acre parcel into four 1 acre parcels with a concurrent Lot Line Adjustment with an adjacent property on property zoned SR-1 (Suburban Residential – 1 acre parcels). The property is located on the east side of Goodspeed Street, approximately 450 feet north of Hutton Way, in Durham. APN 040-280-054, 070 (CS) (TPM 03-14)

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

**D. DET 03-05** – staff recommends approval

**Douglass Perske, Legal Lot Determination** and Certificate of Compliance on property zoned TM-5 (Timber Mountain – 5 acre parcels). The property is located on the south side of Bull Creek Lane, approximately 1,500 feet east of Cohasset Road, and approximately 10 miles northeast of Chico. APN 056-100-027, 031 (MM) (DET 03-05)

There is a 15-day appeal period on all determinations with the Clerk of the Board

**E. DET 03-06** - staff recommends approval

**Jerry Percifield, Legal Lot Determination** for a 21.6 +/- parcel on property zoned “U” (Unclassified). The property is located at the southern end of Hodgkins Lane, approximately 1,500 feet south of the intersection of Hodgkins Lane with Forbestown Road, east of Forbestown. APN 073-300-012 (CS) DET 03-06

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

**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 A, B, & C may not always be addressed at every hearing, but will always be listed as part of the agenda.*

- A. Director’s Report
- B. General Plan/Zoning Ordinance Update
- C. Legislative Case Law update
- D. Planning Commission Concerns

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

**X. ADJOURNMENT**