

BUTTE COUNTY PLANNING COMMISSION
AGENDA
NOVEMBER 13, 2003

TIME: 9:00 a.m.

PLACE: Board of Supervisors' Room
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 - None

V. CONSENT Consent items are set for approval 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 discussion. Brief questions may be asked on any item.

A. ABAN 04-01 - Staff recommends approval

Rhonda Maehl, (Item determined to be categorically exempt from environmental review), **Abandonment** of a 10-foot wide public utilities easement on property zoned RT-1 (Minimum Density Residential – Mobile Home). The property is located on the northeast corner of Pinehurst Way and Columbine Road, Paradise Pines. APN 065-400-015 (SB) (ABAN 04-01)

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.

A. TPM 03-20 – Continued open from October 9, 2003

Edward F. Niderost, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** to divide a 2.0 acre parcel into two 1.0 acre parcels on property zoned SR-1 (Suburban Residential – 1 acre parcels). The property is located on the north side of Butte Avenue, at the intersection of Butte Avenue and Northgraves Avenue, Chico. APN 004-490-020 (MM) (TPM 03-20)

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

B. TPM 03-25 - staff recommends approval

Lance Tennis, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** to create a 170 acre parcel and a 456 acre parcel from the existing 626 acres. No change in use is anticipated with rice cultivation being the primary use of both resulting parcels. No additional improvements are proposed at this time. Both proposed parcels would have frontage along Aguas Frias Road which is maintained by Butte County. The current zoning of A-40 allows for general agricultural uses, animal keeping, and the construction one single family dwelling per legal parcel as well as housing facilities to accommodate up to 12 agricultural workers and their families. APN 038-110-006 in Section 21, T 20N R1E MDB&M. (CBS) (TPM 03-25)

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

C. TPM 03-13 - staff recommends approval

Jennifer Celentano, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** dividing a 20.04 acre parcel into two 10+ acre parcels, located on the west side of Crosacountre Road, approximately 1/4 mile south of Grubbs Road, east of Palermo. The project would allow the development of a single family dwelling on each created parcel. The current zoning is A-5, Agricultural 5 acre minimum parcel size. APN 027-110-029 in Section 10 T 18N R4E MDB&M. (CBS) (TPM 03-13)

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

D. TPM 03-12 – staff recommends approval

Ted Runge, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** to divide a 4.04 acre parcel into four lots of 0.23, 0.23, 0.29, and 3.3 acres. The project is located at the southeast corner of 16th Street and Vista Estates Court, approximately 2,000 feet south of Nelson Avenue, Thermalito area, Oroville. The four proposed lots could each be developed with one single family dwelling. The existing zoning for the site is AR Agricultural Residential which permits lots down to 6,500 square feet. APN 030-038-008 in Section 12, T 19N R3E MDB&M. (CS) (TPM 03-12)

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

E. TPM 03-15 - staff recommends approval

Robert and Elizabeth Nottelmann, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** to divide a 40.2± acre parcel into two parcels of 20.1± acres each. Sewage disposal would be handled by individual on-site septic systems and domestic water obtained from on-site wells. Proposed Parcel 1, which is already developed with a dwelling and accessory structures, would have frontage on Fimple Road, which is a public road. Proposed Parcel 2 would have access to Fimple Road via a proposed 50-foot wide, 1,313-foot long, road easement that runs along the east side of Parcel 1. The project site is zoned A-20 and is designated by the Butte County General Plan as Orchard and Field Crops. The project site is located on the south side of Fimple Road, approximately 930 feet south of Konning Avenue, at 10141 Fimple Road, northwest of Durham. APN 039-230-112 in Section 23, T21N, R1E, MDB&M. (SB) (TPM 03-15)

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

F. TPM 03-23 - staff recommends approval

Ray Scales, proposed **Negative Declaration** with mitigation measures regarding environmental impacts and **Tentative Parcel Map** to divide an 11.04± acre parcel into one parcel of 5.01± acres and one parcel of 6.03± acres. Sewage disposal would be handled by individual on-site septic systems and domestic water obtained from on-site wells. Proposed Parcel 2 is already developed with a dwelling. Parcel 2 would front on Breeze Hollow Lane, which is a private road that lies within an existing 60-foot wide right-of-way. Parcel 1 would have access to Breeze Hollow Lane via a proposed 234-foot long, 60-foot wide non-exclusive easement across Parcel 2. The project site is zoned AR-5 and is designated by the Butte County General Plan as Low Density Residential. The project site is located on the north side of Breeze Hollow Lane, approximately 0.5 miles west of Miners Ranch Road, at 176 Breeze Hollow Lane, Oroville, APN 036-230-054 in Section 25, T19N, R04E, MDB&M. (SB) (TPM 03-23)

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

G. DET 03-04 - staff recommends approval

George Carroll, (Item determined to be categorically exempt from environmental review), **Legal Lot Determination and Conditional Certificate of Compliance** on property zoned TM-20 (Timber Mountain – 10 acre parcels). The property is located on the west side of Coutelenc Road, at the intersection of Jordan Hill Road, north of Magalia. APN 058-130-034 (CD) DET 03-04

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

H ZCA 04-01 - staff recommends approval

Butte County Development Services Department, (Item determined to be categorically exempt from environmental review), **Amendments to the text of the Subdivisions and Zoning Ordinance of the Butte County Code** to revise County procedures for processing Lot Line Adjustments and Mergers, revise zoning site requirements pertaining to sewage disposal and wells, and revise display page notice requirements. ZCA 04-01

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