

BUTTE COUNTY PLANNING COMMISSION
AGENDA
AUGUST 26, 2004

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, Lambert, Evans, Nelson, and Chairman Leland.

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

IV. 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.

V. 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)

VI. 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. **MIN 96-03** - Staff recommends that this hearing be continued, the date to be determined at the hearing.

M&T Chico Ranch Mining Permit and Reclamation Plan - The project consists of a long-term, off-channel gravel mining operation. The mining would take place on 193-acres of a 235-acre site over a 20 to 30-year period. Reclamation would occur incrementally and would consist of the creation of, open-water, wetland wildlife habitat and agricultural uses. The aggregate would be processed (washed and screened) on a 40-acre area at the site. The project is located on a portion of the M&T Chico Ranch approximately 1.5 miles east of the Sacramento River and approximately 5-miles southwest of the City of Chico, in an area north of and adjacent to Ord Ferry Road, and east of, and partially adjacent to, River Road. Access to the site would be provided by River Road. Assessor Parcel Numbers: 039-530-019, 039-530-020 (File # MIN 96-03) (DB)

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

- B. **TPM 04-21** – continued open from June 24, 2004

Linda Russell, Tentative Parcel Map to divide a 38.78-acre parcel into two parcels of 10-acres each and an 18.78-acre remainder on property zoned TM-10 (Timber Mountain – 10 acre parcels). The property is located on the west side of Doe Mill Road, just south of the south intersection of Doe Mill Road and Schott Road, east of Forest Ranch. APN 063-040-057 (DB) (TPM 04-21)

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

- C. **Dean Ishi - TPM 03-31** - continued open from June 24, 2004

Dean Ishi, et al, Tentative Parcel Map request dividing two parcels totaling 133 acres into four parcels, one at 73 acres and three at 20 acres each, and a request for an exception to the requirements of Butte County Code Section 20-133 to allow more than 20 parcels on a cul-de-sac road. The property is zoned FR-20 (Foothill Recreational – 20 acre parcels) and is located on the west side of Round Valley Ranch Road, approximately 1.3 miles southwest of the intersection with Clark Road, Paradise. APN 055-250-028 and 055-370-037 (MM) (TPM 03-31)

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

- D. **MVAR 04-01** – staff recommends denial

Craig and Margaret Fry, (Item not subject to environmental review) Minor Variance to allow a 543 sq. ft. addition to an existing dwelling to encroach three (3) feet into a fifteen (15) foot rear yard building setback on property zoned R-1 (Residential). The property is located on the northeast side of Concord Court, off of Adrian Drive, at 6435 Concord Court, Magalia. APN 066-140-018 (SB) (MVAR 04-01)

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

E. GPA/RZ 03-03 and UP 04-14 – staff recommends approval

Villa D’ Oro Properties, LLC -Use Permit (UP 04-15): proposed Negative Declaration with mitigation measures regarding environmental impacts and Use permit to allow for light manufacturing uses and a 520 sq.ft. welding shop accessory to a Cultural Studio, as provided for under the C-2 (General Commercial) zone. A request is also made to allow for 9 multiple family dwellings to be occupied as live/work dwelling units in conjunction with the Cultural Studio. The live/work dwelling units would be leased to artisans and craftsmen who would live and work on site. The applicant proposes to utilize the existing buildings at the site and modernize them where needed. The four-story refinery building would be developed into a personal residence and guest house. The existing 900 square foot caretaker’s residence would remain. The facility is proposed to be open to the public for special events and exhibits which would showcase produced artwork. These events would take place in an indoor and outdoor gallery. Public restrooms and a 25-space parking lot and handicap parking would be provided. Access to the parking lot would be provided via Feather Avenue. Access to the site via 12th street and Corona Avenue is available but would be restricted to deliveries and emergency access only. Access would be provided via Corona Avenue to a public parking lot only during special events. A rezone from A-R (Agricultural Residential) to C-2 (General Commercial) and General Plan Amendment from Low Density Residential to Commercial has been submitted concurrently (GPA/RZ 03-03).

Villa D’ Oro Properties, LLC - General Plan Amendment/Rezone (GPA/RZ 03-03): General Plan Amendment and Rezone from Low Density Residential to Commercial and a Rezone from A-R (Agricultural Residential) to C-2 (General Commercial). A Use Permit proposing an artist live/work facility (UP 04-15) has been submitted concurrently. APN 031-275-005 (DB)

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

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

VIII. MINUTES - Approval of the Minutes for August 12, 2004

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

X. ADJOURNMENT

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