

**BUTTE COUNTY PLANNING COMMISSION
AGENDA
SEPTEMBER 9, 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. TPM 04-07 - continued open from April 22, 2004

Brent and Debbie Sobrero, 1. 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. **2.** Tentative Parcel Map/ Flexible Lot Provision request to divide a 40-acre parcel into two 20-acre parcels on property zoned “U” (Unclassified). The property is located on a private no-name road north of Clear Creek Cemetery Road, approximately one mile east of Clark Road, south of Paradise. APN 041-110-135 (MM) (TPM 04-07)

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

B. GPA/RZ 03-03 and UP 04-14 – continued open from August 26, 2004

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)

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).

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

C. DET 04N-07 - staff recommends approval.

Neal Rash, Sr., Legal Lot Determination to allow the issuance of a Certificate of Compliance for a parcel in the Culet Judgment Area on property zoned A-5 (Agricultural – 5 acre parcels). The property is located on the north side of Culet Ranch Road, approximately 3,200 feet west of Mission Olive Road. (Nearest major intersection, Mission Olive Road and

Foothill Boulevard) at 244 Culet Ranch Road, Bangor. APN 028-360-003 (SB) DET 04N-07

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

D. DET 04-04 – staff recommends approval.

Henry Runge, Jr. – Legal Lot Determination and Certificate of Compliance for 7 lots within the Mission Olive Judgment area on property zoned A-5 (Agricultural – 5 acre parcels). The property is located on Mission Olive Road at Culet Ranch Road, east of Palermo. APN 028-350-001, 002, 003, 004, 005, 007, and 010 (SB) (DET 04-04)

There is a 15-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
 - 1. Commissioners Claim Forms
- B. General Plan/Zoning Ordinance Update
- C. Legislative Case Law update
- D. Planning Commission Concerns

VIII. MINUTES - Approval of the Minutes for August 26, 2004

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

X. ADJOURNMENT

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