

Butte County Department of Development Services

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ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

JANUARY 25, 2007

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 Leland, Marin, Nelson, Wilson and Chairman Lambert

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 AGENDA Consent items are set for approval in one motion. These items are considered non-controversial. No presentations will be made unless the item is pulled from the Consent Agenda for discussion. Any person may pull an item from the consent agenda.

None

VI. ITEMS PULLED FROM THE CONSENT AGENDA. Any items pulled from the Consent Agenda will be considered.

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 05-08 - Continued open from October 26, 2006.** Staff recommends an additional continuance to March 22, 2007

Name: Del Oro Water Company Regional Intertie Project, Phase I

Project: Use Permit (UP 05-08) **Planner:** Stacey Jolliffe

Location: The 2.5 mile pipeline (16") originates in the Mountain Oaks Subdivision Water Treatment Plant to Pentz Road to the northern zone of the service area which adjoins the Town of Paradise, Lime Saddle Water District.

Proposal: Allow for the construction of Phase 1 of the DOWC Regional Intertie Project. Phase 1 of the project is designed to complete the DOWC Lime Saddle District water system, including 16" water supply pipeline, from Water Treatment Plant to Pentz Road to the northern of the Lime Saddle District.

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

- B. MIN 96-03 – Continued open from December 14, 2006.** Staff recommends certification of the Final Environmental Impact Report and approval of the project.

Name: M&T Chico Ranch Mine Project: Final Environmental Impact Report (FEIR) and Mitigation Monitoring Plan, Mining Permit and Reclamation Plan , MIN 96-03).

Planner: Pete Calarco **APN:** 039-530-019, 039-530-020.

Location: 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, east of and partially adjacent to River Road. Access to the site would be provided by River Road.

Proposal: 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.

An Environmental Impact Report is proposed for this project.

In accordance with the California Environmental Quality Act (CEQA), A forty-five (45) day public review period for the DEIR was previously provided. This review period began on October 10, 2002, and ended November 25, 2002. The Planning Commission had considered certification in 2003; however, an additional issue regarding the California Land Conservation Act (Williamson Act) needed to be addressed. As a result, the applicant filed a request for immediate cancellation from the Williamson Act contract for a portion of the property. The immediate cancellation request will be considered by the Board of Supervisors at a later date.

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

- C. MIN 05-01 (UP 93-36) – Continued closed with a Motion of Intent to approve**

Name: Mineral Resources, LLC

Project: Morris Ravine Quarry Amended Use Permit

Planner: Dan Breedon

Assessor Parcel Numbers: 41-400-003, 41-220-050, 41-220-051, 41-300-001, 41-300-047

Location: The Morris Ravine Quarry is located approximately four miles north of the City of Oroville. The site is located on the eastside of Cherokee Road, near the intersection of Shirmer Ravine Road, in the Table Mountain area. Cherokee Road is located about two miles north of the Forebay Canal Bridge.

Proposal: The proposed project under review proposes to amend the current Use Permit, UP 93-36 to:

- Allow bulk-fuel storage at the site (diesel)
- Change the hours of operation to allow nighttime operations
- Change materials to be mined from “*silica sand*” to include quarry byproducts of aggregate, clay, and overburden rock
- Make operational the above-ground waterline along Schirmer Ravine Road to augment water supply at the quarry (this above-ground water line and associated storage tank have been already installed but are not currently operational)

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

D. ZCA 06-0004 and ZCA 07-0001

Name: Butte County

Project: Zoning Code Amendments ZCA 06-0004 and ZCA07-0001

Planner: Pete Calarco

Location: County-wide

Proposal: ZCA 06-0004 is an ordinance implementing Program 2.2 of the Agricultural Element requiring a 300-foot setback for permits and projects in the Grazing and Open Lands (GOL) and Orchard and Field Crop (OFC) land use designations of the General Plan and at community boundaries and spheres of influence for incorporated cities/town. .

ZCA 07-0001 proposes to delete Section 24-285 of the Butte County Code pertaining to segregations of home sites. Policy 3.3 of the Agricultural Element states: Discontinue Agricultural Segregations for home sites (life estates serve the same purpose). Section 24-285 "24-285 Segregation of home sites in agricultural zones" needs to be deleted to comply with Policy 3.3.

The Planning Commission will make a recommendation to the Board of Supervisors, which will take action on the ZCAs.

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. Directors' Report
- B. General Plan/Zoning Ordinance Update
- C. Update of Board of Supervisors' Actions
- C. Legislative Case Law update
- D. Planning Commission Concerns

IX. CLOSED SESSION

X. MINUTES - NONE

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

XII. ADJOURNMENT