

# **Butte County Department of Development Services**

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ADMINISTRATION \* BUILDING \* PLANNING

## **BUTTE COUNTY PLANNING COMMISSION AGENDA**

**FEBRUARY 22, 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.

- A. Name: Amator Orchards Project: DET 06-0035**  
**Planner:** Meredith Williams **APN:** 040-060-073 **Zoning:** A-20  
**Location:** The parcel is located south of the Oro-Chico Highway, 0.80 miles south east of the Midway and Oro-Chico Highway intersection, between the City of Chico and community of Durham.  
**Proposal:** A request by Amator Orchards for a Certificate of Compliance on this parcel, on the south side of the Oro-Chico Highway, near Via Verde Road, zoned A-20. The parcel is included in a proposed lot line adjustment through a separate application (LLA 06-26).

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

## VI. ACTION ITEMS (NOT A PUBLIC HEARING)

### A. MIN 96-03 Continued closed from January 25, 2007

**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.

## 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 06-13 – Paul and Anita Kwong. Staff recommends approval

**Name: Lynda Upthegrove Project: Use Permit UP06-13**

**Planner:** Meredith Williams **APN: 025-020-025 Zoning: C-1**

**Location:** 842 Palermo Rd. Palermo, CA

**Proposal:** build a billboard sign in a commercial zone that is adjacent to AR-1 residentially zoned land to east and west. Sign is double-faced 10.5' X 40', total height is 22.5 feet.

There is a 10-day appeal period on decisions 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. Directors' Report
- B. General Plan/Zoning Ordinance Update
- C. Update of Board of Supervisors' Actions
- D. Legislative Case Law update
- E. Planning Commission Concerns

**IX. CLOSED SESSION**

**X. MINUTES** - December 14, 2006

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

**XII. ADJOURNMENT**