



Department of Development Services

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BUTTE COUNTY PLANNING COMMISSION

December 8, 2022

This hearing will be open to the public. This hearing will also be held via an online format for those who wish to participate remotely.

Members of the public who wish to participate in public comment are encouraged to register in advance of the hearing by emailing PCClerk@buttecounty.net. Use the following information to remotely view and participate in the Planning Commission meeting, including the Public Hearing portions, online:

Link: <http://bcdds.net/PlanningCommission>

Event (Meeting) Number: 2557 204 8377

Event Password: Planning

Participants may also call in: 1-844-992-4726

TIME: 9:00 a.m.

PLACE *(NOTE--The following is a new location for this meeting):*

Human Resources Training Room, West, 3 County Center Drive, Oroville, CA 95965,
and by Online Meeting Format (see above for video link and call-in information).

I. CALL TO ORDER

Pledge of Allegiance

II. ROLL CALL - Commissioners Donati, Flicker, Hansen, Schleiger, and Chair Roethler.

III. DISCLOSURE OF EX PARTE COMMUNICATIONS

IV. RESOLUTION AUTHORIZING ALTERNATIVE STANDARDS FOR TELECONFERENCING PUBLIC MEETINGS PURSUANT TO THE RALPH M. BROWN ACT (AB 361)

STAFF REPORT and RESOLUTION

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

VI. BUSINESS FROM THE FLOOR ON ITEMS NOT ALREADY ON THE AGENDA – This is an opportunity for any person to address the Planning Commission. Presentations will be limited to five minutes. The Commission is prohibited by State law from taking action on any item presented if it is not listed on the Agenda.

VII. PUBLIC HEARINGS AND OTHER MATTERS FOR DISCUSSION - The Chair will call for a presentation of the report of staff. The hearing will then be opened to the public for proponents, opponents, comments, and rebuttals. Persons wishing to address the Planning Commission may sign up prior to the meeting by emailing PCClerk@buttecounty.net or by providing written comments via email or mail. It is requested that individual public comments be addressed to the Chair and limited to a maximum of 5 minutes so that all interested parties will have an opportunity to address the Commission. The hearing will then be closed to the public and discussion confined to the members of the Commission and staff. The Commission will then make a motion and vote on the item.

A. Continuation of Zoning Code Amendment to Butte County Code Section 24-304, Division 1. Glossary: Multiple-Family Dwellings and Use Permit (ZCA22-0002/UP22-0002 /Hill). At the October 27, 2022 Planning Commission Hearing, two projects (ZCA22-0002 / UP22-0002) were continued in order to clarify the issues related to the Zoning Code Amendment and the Conditional Use Permit. The Commission directed further information regarding *county-wide* impacts of the Zoning Code Amendment: what zones would be affected, and how the new definition for Multiple Family Dwellings would influence development. In addition, a more detailed analysis was directed regarding aesthetic impacts of the project proposed under the Use Permit. In response, Staff has provided additional analysis included in the Memorandum and to be presented to the Planning Commission. (Tristan Weems, AICP, Associate Planner)

MEMORANDUM

POWERPOINT

AGENDA REPORT (October 27, 2022)

B. Continuation Telecommunication Facilities Zoning Code Amendment, Butte County Code Chapter 24 (Zoning), Article 26 (ZCA22-0003/County Initiated Amendment). This project was continued from August 11, 2022 Planning Commission Hearing. The amendments to the Telecommunication Facilities Ordinance includes bringing the ordinance into conformance with federal and State law regarding reasonable time periods for processing applications, modifications to existing telecommunication facilities which constitute a substantial change, additional application submittal information, other updates to existing sections and removing particular requirements that are not required by federal or State law, as well as addressing regional serving ground-mount broadband antenna facilities and small wireless facilities. Federal law concerning telecommunication facilities is supreme and must be followed by Butte County, and the California Legislature. Government Code section 65964.1, has declared that wireless telecommunications facilities are a matter of statewide concern. This Ordinance does not expand or alter the locations in which a telecommunication facility may be located and does not expand or alter the size of a telecommunication facility except as required by federal law. It is determined that this Zoning Ordinance amendment is not a project under the California Environmental Quality Act (CEQA). (Mark Michelena, Principal Planner)

AGENDA REPORT

POWERPOINT

AGENDA REPORT (AUGUST 11, 2022)

- C. Family Day Care Homes Zoning Code Amendment for Chapter 24 (Zoning), Article 2; and Sections 24-159 and 24-304 (CA21-0001/County Initiated Code Amendment).** Amendments to the Health and Safety Code under SB-234 (Skinner) involve allowing Family Daycare Homes, Large on any parcel with a corresponding residential use by right, like the existing Family Daycare Homes, Small land use category, within an existing dwelling. This code amendment will affect all the County's unincorporated jurisdiction. This project updates County Code to conform with the new State law. (Tristan Weems, AICP, Associate Planner)

AGENDA REPORT

POWERPOINT

- D. Tentative Parcel Map (TPM21-0008/Woods).** Tentative Parcel Map and recommendation for a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) to subdivide a single 19.53-acre parcel into two parcels of 7.97 acres and 11.56 acres. Future development on the new parcels will include single-family residences and other uses consistent with the Suburban Residential 1-acre minimum parcel (SR-1)/Open Space (OS)/North Chico Specific Plan zoning. The proposed parcels are consistent with the Very Low Density Residential (VLDR) zone/Resource Conservation (RC) zone/Airport Overlay C & D Compatibility Overlay zones. Future development will be served by an individual domestic well and an onsite wastewater disposal system. The project site is located on the southwest corner Garner Lane and Guntren Road and approximately 300 feet from the southeast end of Red Fox Court, at 20 Red Fox Court, north and west of Chico. APN: 047-440-065. (Mark Michelena, Principal Planner)

AGENDA REPORT

POWERPOINT

- E. 11:00 a.m. Timed Item – Final Draft Housing Element Adoption.** The Planning Commission will hold a public hearing regarding an amendment to the General Plan and adoption of the Butte County Housing Element. At this hearing, County staff and consultants will provide an overview of State Housing Element requirements and the process for amending and adopting the Housing Element. The Housing Element is part of the Butte County General Plan and is periodically amended in accordance with State law. This meeting is open to the public who are encouraged to attend and provide comment. All parties and agencies interested in Housing Policy are encouraged to attend and provide comment.

The Final Draft Housing Element Update and related Housing Needs Assessment are available for review via the Development Services website, <http://www.buttecounty.net/dds/generalplanupdate>.

The proposed project is exempt as a “common sense” exemption under State CEQA Guidelines Section 15061(b)(3) because the project involves policies, programs, and actions to meet the County’s Regional Housing Needs Allocation (RHNA) that would not have the potential to cause a significant physical effect on the environment. As it can be seen with certainty that there is no possibility that the proposed 6th Cycle Housing Element Update would have a significant effect on the environment, the 6th Cycle Housing Element is exempt from CEQA under the common-sense exemption.

The Planning Commission’s recommendations concerning the adoption of the Housing Element Update shall be provided to the Board of Supervisors for consideration of final adoption at a future public hearing. (PlaceWorks Consulting/Mark Michelena, Principal Planner).

AGENDA REPORT

POWERPOINT

- F. Special Events Facilities Ordinance Study Session 2 -Agriculture Zones.** Staff has conducted outreach and prepared a report concerning the Special Events Facilities Ordinance (Butte County Code Section 24-175.2), which was adopted on March 24, 2015. The purpose of this review is to inform the Planning Commission about issues related to Special Events Facility development within Agricultural zones, summarize and discuss public outreach efforts, and to consider any needed improvements to the ordinance. Staff will receive direction from the Planning Commission and any recommendations from the Planning Commission will be brought back as a zoning code amendment for consideration at a future public hearing (Dan Breedon, AICP, Planning Manager/Austin Forde, Assistant Planner).

AGENDA REPORT

POWERPOINT

- 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 have been directed to do research and bring back to the Commission. Items may not always be addressed at every hearing but will always be listed as part of the agenda.

- A. Planning Manager’s Report
- B. Planning Commission Concerns

IX. MINUTES

- A. October 27, 2022
- B. November 10, 2022

X. ADJOURNMENT