



Department of Development Services

Paula M. Daneluk AICP, Director
Curtis Johnson, Assistant Director

7 County Center Drive
Oroville, California 95965
T:530.552.3700
F:530.538.7785
buttecounty.net/dds

**BUTTE COUNTY PLANNING COMMISSION
AGENDA**

September 28, 2023

TIME:

PLACE:

9:00 a.m.

Board of Supervisors' Room
County Administration Center
25 County Center Drive Oroville, CA, 95965

Public comments will be accepted in-person at the meeting or may be submitted prior to the meeting. Use the following information to remotely view, or listen to, the Planning Commission meeting, including the Public Hearing portions online.

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

Event (Meeting) Number: 2554 140 1482

Event Password: Planning

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

- I. CALL TO ORDER
- II. ROLL CALL - Commissioners Parrott, Schleiger, Donati, Roethler, and Chair Flicker.
- III. DISCLOSURE OF EX PARTE COMMUNICATIONS
- IV. ACCEPTANCE OF AGENDA - Commission members and staff may request additions, deletions or changes in the Agenda order.
- V. 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.
- VI. 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. TENTATIVE SUBDIVISION MAP (TSM22-0002) - Hayes Family Trust / Jon Hayes

Continued from the August 24th Planning Commission Hearing

The project consists of subdividing a 41.57-acre property located in the SR-1 / VLDR / B2 zone into 25 parcels. Parcel sizes range from 1 acre to 11.84 acres, with an average parcel size of 1.55 acres. The parcel is currently developed with a single-family home and outbuildings. Wastewater disposal will be provided by individual on-site septic systems (14 parcels), and a community septic system (11 parcels). Domestic water service would be provided by new individual wells. Access will be provided via Keefer Road, and Kelsey Drive, and two new internal local roads. A pressurized water system will be provided for fire protection. Staff recommends the Planning Commission adopt the Resolution adopting a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA SCH# 2023060749) and approving the Tentative Subdivision Map, subject to findings and conditions. Assessor Parcel Number: 047-350-066. (Tristan Weems, AICP, Senior Planner)

Agenda Report 

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- B. **CONDITIONAL USE PERMIT (UP23-0003) – Assurance Development**
The approval of a Use Permit (UP23-0003), permits the applicant, Assurance Development, to construct a new 100' high unmanned monopine wireless communications tower with twelve (12) antennas attached on a 20.03-acre parcel (APN 028-240-034) located at 5753 La Porte Road, Bangor. The zoning designation of the parcel is: FR-5 (Foothill Residential, 5-acre) with a general plan designation of FR (Foothill Residential).

Agenda Report 

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- C. **CONDITIONAL USE PERMIT (UP23-0004) – Assurance Development**

The approval of this Conditional Use Permit (UP23-0004) permits the applicant, Assurance Development, to construct a new unmanned wireless communications monopole, 95' in height with twelve (12) wireless antennas and a microwave antenna attached, and a 5' lighting rod at the top of the monopole. The unaddressed, vacant, 66-acre parcel (APN 028-030-047) is zoned AG-20 (Agriculture, 20-acre minimum) with a general plan designation of AG (Agriculture). It is located to the northeast of the Lower Honcut Road and Ahart Road intersection in Honcut. The project includes (2) ground mounted radio cabinets on a raised concrete pad contained within a concrete block retaining area; a fiber vault and a multimeter utility service mounted on a H-frame within a 40' X 40' lease area contained within an 8-foot-tall chain link fence. The site would be accessed via a non-exclusive access easement on the west side of the site via Ahart Road. Future colocation by other carriers will occur as dictated by carrier needs, and those projects would occur under future permits from the County.

An Initial Study and Negative Declaration (ND) were prepared for the Project in accordance with the California Environmental Quality Act (CEQA). (CEQA SCH# 2023080176. The ND concludes that the Project will not result in any significant adverse effects on the environment, as the potential impacts identified during the review can be adequately mitigated by implementing recommended measures. (Tristan Weems, AICP, Senior Planner)

Agenda Report 

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- D. **GENERAL PLAN AMENDMENT (GPA23-0001), REZONE (REZ23-0001), MINOR USE PERMIT (MUP23-0001), TENTATIVE PARCEL MAP (TPM23-0002) – Butte County Farm Bureau**
Proposal to construct and operate a 5,000 sq. ft. private meeting hall and offices on a 1.64-acre portion of a 4.92-acre parcel. The proposal requires four entitlements, which will be processed concurrently: A General Plan Amendment (GPA23-0001) and Zone Map Amendment (REZ23-0001) to change the land use designation and zone district from Very Low Density Residential (VLDR) to Agricultural Services (AS); a Minor Use Permit (MUP23-0001) to operate a Private Meeting Hall in the AS zone; and, a Tentative Parcel Map (TPM23-0002) to subdivide the 4.92 acres into four parcels, with the proposed development to occur on resultant Parcel 1, and the other three AS-zoned parcels to remain undeveloped. The project site is located at 9412 Jones Avenue, on the northeast corner of Jones Avenue and Durham-Dayton Highway, 1,500 feet east of Midway, in the unincorporated community of Durham. Staff recommends that the Planning Commission adopt the Resolution making findings and recommending the Board of Supervisors adopt the Mitigated Negative Declaration and approve the General Plan Amendment, Zoning Map Amendment, Minor Use Permit, and Tentative Parcel Map, with conditions. Assessor Parcel Number: 040-180-041. (Rowland Hickel, AICP, Senior Planner)

Agenda Report 

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- E. **GENERAL PLAN AMENDMENT, REZONE, PLANNED UNIT DEVELOPMENT (PUD21-0002), ROAD ABANDONMENT (RA23-0003) – Enterprise Rancheria**
Proposal to develop 12 single-family residences, site improvements, and access roads on a 64.1-acre parcel. The project includes a General Plan Amendment to change the land use designation from Rural Residential to Planned Unit Development, Zone Map Amendment from RR-5 (Rural Residential, 5-acre minimum parcel size) to PD (Planned Development), and development plan approval. The project also includes abandoning a County "1-foot No Access Strip" easement along the easterly end of the Crane Avenue right-of-way within the Copley Acres Subdivision, west of the project site. The project site encompasses 64.1 acres east of the Copley Acres Subdivision, off Crane Avenue, 500 feet east of Melrose Drive, in an unincorporated area of Butte County, approximately one mile southeast of the City of Oroville. Staff recommends that the Planning Commission adopt the Resolution making findings and recommending the Board of Supervisors adopt the Mitigated Negative Declaration and approve the General Plan Amendment, Rezone, Planned Unit Development, and Road Abandonment. Assessor Parcel Number: 079-150-001. (Rowland Hickel, AICP, Senior Planner)

Agenda Report 

- F. **USE PERMIT (MUP22-0008) – Tillman Infrastructure**
Proposal to construct a wireless telecommunication facility, including a 105-foot monopole tower and related ground equipment in an 85' x 85' fenced lease area in the central portion of the 50.59-acre site. Twelve (12) panel antennae and related equipment are proposed to be centered at the 100-foot level. The project site is located at 999 Neal Road, Chico 95969, approximately 4.3 miles south of the City of Chico via Highway 99. Future microwave dishes are proposed to be centered at the 45 and 55-foot levels, along with sites for the colocation of up to two carriers at the 70 and 85-foot levels. Related ground equipment will consist of four Verizon equipment cabinets, utility cabinets, and a diesel emergency back-up generator with a 150-gallon fuel tank. Access to the site will be made via a new 15-foot encroachment and access/utility easement off Neal Road. An Initial Study and Negative Declaration was prepared for the project pursuant to the California Environmental Quality. Assessor Parcel Number: 040-600-081. (Austin Forde, Assistant Planner)

Agenda Report 

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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 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

VIII. MINUTES

- A. July 27, 2023

Minutes 

IX. ADJOURNMENT