



Department of Development Services

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**BUTTE COUNTY PLANNING COMMISSION
AGENDA**

February 22, 2024

TIME:

PLACE:

9:00 a.m.

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

[PDF of Agenda](#) 

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: 2558 416 3706

Event Password: Planning

You may also call in: 408-418-9388

I. CALL TO ORDER

Pledge of Allegiance

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

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. TO BE CONTINUED UNTIL MARCH 28, 2024: USE PERMIT (UP23-0007) - ASSURANCE DEVELOPMENT (continued from January 25, 2024)

Project Description: The approval of a Use Permit (UP23-0007) permits the applicant, Assurance Development, to construct a new 100' tall monopole (designed to appear as a pine tree) with 12 8-foot antennas, 6 remote radio units (RRUs), one microwave unit, and one GPS antenna attached on a 6.21-acre parcel (APN: 072-140-058) located at 4825 Foothill Boulevard, Oroville CA 95966, approximately 4.8 miles southeast of the City of Oroville. The zoning designation of the parcel is: RR-5 (Rural Residential, 5-acre minimum) with a general plan designation of RR (Rural Residential).

Additionally, the project includes (2) ground-mounted radio cabinets on a concrete pad, a fiber vault, and a multimeter utility service mounted on an H-frame within a 40' X 40' (1,600 sq. ft.) lease area surrounded by a 6-foot high chain link fence. A new electrical transformer would be installed on a 50 X 52-inch concrete pad. All pervious surface area would be covered with gravel over a weed barrier. The site would be accessed from Foothill Boulevard via a new 20-foot wide

unpaved road located on the property, south of the existing residence and out-buildings. Up to two additional carriers could co-locate on the monopole. Any future co-location would be authorized per separate permitting actions.

An Initial Study and Negative Declaration (ND) were prepared for the Project in accordance with the California Environmental Quality Act (CEQA) (CEQA SCH# 2023120579). The ND concludes that the Project will not result in any significant adverse effects on the environment. (Austin Forde, Assistant Planner)

The applicant has submitted a request for continuance to the Planning Commission hearing to be held on March 28th, 2024.

B. REZONE (REZ23-0003) - RUNGE LIVING TRUST

Proposed rezoning to amend the official zoning of 88.94 acres of vacant land from Planned Development (PD) to Medium Density Residential (MDR) to conform to the existing Medium Density Residential General Plan land use designation. The project site is located on the southeast corner of State Highway 162 and Apica Avenue, approximately ¾-mile west of Miners Ranch Road, in the unincorporated area of Butte County, approximately 3 miles east of the City of Oroville; Assessor Parcel Numbers: 069-520-023, -054, & -056. The project is categorically exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines (Common Sense Exemption). (Rowland Hickel, AICP, Senior Planner)

AGENDA REPORT 

POWERPOINT 

C. ZONING CODE AMENDMENT (ZCA23-0002)

A County-initiated zoning code amendment to reduce the rear and side-yard setbacks for accessory structures under 15 ft. in height to 5 ft. within the Very Low Density Residential zone. The previous standards applied a range of required setbacks for all structures based on property size. These amendments will retain that distinction for primary structures, but will apply a fixed rear and side-yard setback standard of 5 ft. for accessory structures below 15 ft. in height, regardless of property size. The zoning code amendment is exempt from environmental review pursuant to CEQA Guidelines Section 15268(a), which exempts projects processed by the County involving only the use of fixed standards or objective measurements and not requiring the exercise of discretion. (Austin Forde, Assistant Planner)

AGENDA REPORT 

POWERPOINT 

D. Butte County General Plan 2040 and Housing Element Annual Progress Reports (APR) for Calendar Year 2023

Project Description: California Government Code 65400 mandates that counties submit an APRs to legislative bodies, the Governor's Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD) by April 1 of each year for both the General Plan and the Housing Element of the General Plan. Both APRs are provided for the Planning Commission's information. The APRs will be provided to the Board of Supervisors prior to submitting to HCD and OPR. The APR's are presented to the Planning Commission for information only, no action is required (Mark Michelena, Principal Planner).

ANNUAL PROGRESS REPORT MEMO 

ANNUAL GENERAL PLAN PROGRESS REPORT 

ANNUAL HOUSING ELEMENT PROGRESS REPORT 

POWERPOINT 

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. December 14, 2023
December 14, 2023 Minutes 
- B. January 25, 2024
January 25, 2024 Minutes 

IX. ADJOURNMENT