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ZONING ADMINISTRATOR HEARING AGENDA

Wednesday, May 6, 2020, 10:00 a.m.

Due to protocols established under the Governor's Executive Orders for COVID 19 community response, this hearing will be held via an online format.

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: https://bcdds.net/ZA_06MAY20

Event (Meeting) Number: 628 426 758

OR:

Phone number: United States Toll Free: 1-844-992-4726

Event Password: Zoning

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- Butte County Code Section 2-151(d) provides the Development Services Zoning Administrator the authority to act on applications.
 - Items will be heard in the order listed on the agenda unless the Zoning Administrator rearranges the order of the agenda or the item is to be continued.
 - Any questions pertaining to individual projects should be directed to the designated planner.
 - In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this hearing, please contact Development Services at (530) 552-3662 at least 72 hours prior to the hearing.
 - Conduct of Public Hearings – the public is encouraged to participate in the hearing process. An agenda item is first introduced by the Zoning Administrator and then presented by a staff member. The Administrator then opens the public hearing and provides an opportunity for the proponent to address the item. Following the proponents statement, if any, the Zoning Administrator will invite any other interested party in support of the item to address the matter. Following the testimony of the proponent and supporters, opponents are given an opportunity to present testimony regarding the item. After the opponents have completed testifying, the proponent is given time to offer rebuttal. At the conclusion of testimony, the Administrator will close the hearing.
 - In the interest of everyone concerned, we request that you do not repeat what has already been discussed by someone prior to your turn. After a speaker has presented his/her views, if you are in agreement and wish to go on record, state your name and address and acknowledge your agreement with the speaker. This will enter your name into the record. Please limit presentations to a maximum of 3 minutes or other time limit as determined by the Zoning Administrator so that all interested parties will have opportunity to speak.
 - Any person or persons dissatisfied with a Zoning Administrator's decision may appeal that decision to the Planning Commission within 10 calendar days along with a fee of \$676 filed with Development Services. In accordance with Government Code 65009, if any person(s) challenges the action of the Zoning Administrator, said person(s) may be limited to raising only those issues that were raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.
 - Meetings are recorded and the audio file will be placed on the Department website:
www.buttecounty.net/dds/Meetings/ZA.aspx
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I. Public Comment

At this time, members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this item cannot be discussed or acted upon by the Zoning Administrator at this time.

II. Public Hearings

A. Grading Permit GRD19-0002

Applicant: Allen Gross

Owner: Allen Gross

Project: Grading Permit GRD19-0002

Planner: Rowland Hickel

APN: 041-030-053

G.P.: Agriculture (AG)

Zoning: AG-40-DH-SH (Agriculture – 40-acre minimum-Deer Herd Migration-Scenic Highway)

Location: The project site is located on the east side of Pentz Road, approximately 650 feet south from the intersection of Messilla Valley Road and Pentz Road.

Project Description: The applicant requests approval of Grading Permit (GRD19-0002), pursuant to Butte County Code, Chapter 13, Article I. Proposed grading activities will create a 12,775 square foot flat pad area to stage and utilize a recreational vehicle and horse trailer for personal use. Grading activities would result in 288 cubic yards (cy) of excavated soil and 222 cy of fill, for a total of 510 cy of grading.

CEQA Determination: The project qualifies to be categorically exempt from California Environmental Quality Act (CEQA) provisions under Section 15304 (Class 4 – Minor Alterations to Land) of the CEQA Guidelines.

Staff Recommendation: Find the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 (Class 4 – Minor Alterations to Land) of CEQA Guidelines, and approve the Grading Permit.

Appeal Period: 10 calendar days

STAFF REPORT

B. Tentative Parcel Map TPM18-0001

Applicant: Dave Anderson

Owner: D&J Development Enterprises

Project: Tentative Parcel Map TPM18-0001

Planner: Mark Michelena

APNs: 041-030-153 & 154 and 041-320-035

G.P.: Agriculture (AG)

Zoning: AG-40 & AG-160-DH-SH (Agriculture – 40 and 160-acre minimum-Deer Herd Migration-Scenic Highway)

Location: The project site is located on the east side of Pentz Road, approximately 0.6 miles north of Durham-Pentz Road, south of the Town of Paradise.

Project Description: Tentative Parcel Map to subdivide 523.91 acres (two parcels) into three parcels (200.05 acres, 161.51 acres and 162.35 acres).

CEQA Determination: An Initial Study and Mitigated Negative Declaration has been prepared for this application.

Staff Recommendation: Staff recommends the Zoning Administrator adopt the Mitigated Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA), and approve Tentative Parcel Map TPM18-0001, subject to the findings and conditions in Attachment A.

Appeal Period: 10 calendar days

STAFF REPORT

C. Minor Use Permit MUP20-0001

Applicant: Epic Wireless Group, LLC on behalf of AT&T Mobility c/o Ashley Smith

Owner: Butte Broadcasting Company, Inc.

Project: Minor Use Permit MUP20-0001

Planner: Mark Michelena

APN: 040-520-045

G.P.: Foothill Residential (FR)

Zoning: FR-20 (Foothill Residential – 20-acre minimum)

Location: The project site is located at 4842 Media Way, approximately 1,600 feet south of Skyway, southwest of Paradise.

Project Description: A Minor Use Permit to add 20 feet to an existing 51.4-foot monopole (or replace with a new 71.4' monopole), add a new colocation with nine (9) antennas, and install outdoor equipment cabinets and associated equipment within the existing communication facility leased area, for a 30kw AC Diesel Standby Generator with an attached 190 gallon capacity belly tank.

CEQA Determination: The project qualifies to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Class 1 – Existing Facilities) and 15303 (Class 3 – New Construction or Conversion of Small Structures) of the CEQA Guidelines.

Staff Recommendation: Staff recommends the Zoning Administrator find the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Class 1 – Existing Facilities) and 15303 (Class 3 – New Construction or Conversion of Small Structures) of the CEQA Guidelines, and approve Minor Use Permit MUP20-0001, subject to findings and conditions in Attachment A of the report.

Appeal Period: 10 calendar days

STAFF REPORT

III. Adjournment