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ZONING ADMINISTRATOR HEARING AGENDA

Wednesday, September 23, 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/2QQqXqU>

Event Password: Zoning

OR:

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

Event (Meeting) Number: 126 095 8194

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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. Tentative Parcel Map TPM20-0002

Applicant: Margaret Johnson

Owners: Andrew, Courtney, Stephen & Margaret Johnson

Project: Tentative Parcel Map TPM20-0002

Planner: Tristan Weems

APN: 042-010-085

G.P.: Very Low Density Residential (VLDR)

Zoning: Very Low Density Residential 2.5-acre minimum (VLDR-2.5)

Location: The project parcel fronts on Bell Road, a publicly maintained paved road, approximately 3,000 feet west of the City of Chico city limits.

Project Description: The project proposes to divide a 5.06-acre parcel, in the VLDR 2.5 (Very Low Density Residential – 2.5-acre minimum) zone and VLDR (Very Low Density Residential) General Plan designation, into two lots (2.53 acres each). The parcel frontage is unimproved without curb, gutter, and sidewalk. Future residences will be served by onsite well and septic systems. Pursuant to Butte County Code, Section 24-56.1 –Residential Setback from Orchards and Vineyards, a 70-foot residential setback will be established from the proposed property line separating proposed parcel 1 from the neighboring 1-acre walnut orchard.

CEQA Determination: Staff recommends finding the project exempt from CEQA through the “Common Sense” exemption – Section 15061(b)(3).

Staff Recommendation: Staff recommends the Zoning Administrator find the project exempt pursuant to the California Environmental Quality Act (CEQA) Section 15061(b)(3), and approve Tentative Parcel Map TPM20-0002, subject to the findings and conditions in Attachment A.

Appeal Period: 10 calendar days

STAFF REPORT

B. Minor Use Permit MUP15-0007

Applicant: Araceli E. Mazariego

Owner: Mazariego Araceli E Revocable Living Trust

Project: Minor Use Permit MUP15-0007

Planner: Mark Michelena

APNs: 031-281-132

G.P.: Very Low Density Residential (VLDR)

Zoning: VLDR (Very Low Density Residential)

Location: The parcel is located on the east side of 10th street, approximately 230 feet south of Thermalito Avenue, at 1558 10th Street, Oroville.

Project Description: Minor Use Permit to operate exercise classes as a Major Home Occupation. The exercise classes will be held in the existing garage.

CEQA Determination: Staff recommends finding the project Categorically Exempt from environmental review under California Environmental Quality Act Guidelines Section 15303.

Staff Recommendation: Staff recommends the Zoning Administrator find the project exempt pursuant to the California Environmental Quality Act (CEQA) Section 15303, and approve Minor Use Permit MUP15-0007, subject to the findings and conditions in Attachment A.

Appeal Period: 10 calendar days

[STAFF REPORT](#)

C. Continued - Tentative Parcel Map TPM19-0006

Applicant: Kevin and Linda McClellan

Owner: Kevin and Linda McClellan

Project: Tentative Parcel Map TPM19-0006

Planner: Rowland Hickel **APN:** 031-060-055

G.P.: Agriculture (AG)

Zoning: AG-20 (Agriculture – 20-acre minimum)

Location: The project site is located on the north side of Thompson Flat Road approximately ¼ mile west of Cherokee Road, and ½ mile north of the City of Oroville.

Project Description: Tentative Parcel Map to subdivide a 40.38-acre property located in the AG-20 zone into two parcels. Parcel 1 would be 20.19 acres; Parcel 2 would be 20.19 acres. The parcel is currently vacant and undeveloped. No development is proposed as part of this application; however, future development consistent with the AG-20 zoning designation is anticipated.

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 TPM19-0006, subject to the findings and conditions in Attachment A.

Appeal Period: 10 calendar days

[STAFF REPORT](#)

III. Adjournment