



7 County Center Drive
Oroville, California 95965

T: 530.538.7601
F: 530.538.7785

buttecounty.net/dds

BUTTE COUNTY PLANNING COMMISSION AGENDA

September 28, 2017

TIME: 9:00 a.m.

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL – Commissioners Chase, Donati, Grundmann, Kennedy, and Chair John.

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

IV. BUSINESS FROM THE FLOOR ON ITEMS NOT ALREADY ON THE AGENDA
(Presentations will be limited to five minutes. The Planning Commission is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda).

V. 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. The hearing will be then be closed to the public and discussion confined to the members of the Planning Commission and staff. The Commission will then make a motion and vote on the item. 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. Following your presentation, please print your name and address on the speakers sheet so that the record will be accurate.

[A. Modification or Revocation of Conditional Use Permit UP14-0002 and UP15-0005 \(Old Durham Wood\)](#)

Applicant: Old Durham Wood Inc.

Planner: Rowland Hickel APN: 040-120-033

General Plan: Agriculture

Zoning: AG-40 (Agriculture, 40-acre minimum parcel size)

Location: 1156 Oroville-Chico Highway, approximately five miles southeast of Chico, west of Highway 99 and 1.8 miles north of the Durham-Pentz Road exit to Highway 99.

Request: Consideration of the County-initiated revocation or modification of Conditional Use Permits UP14-0002 and UP15-0005 for failure to comply with or fulfill permit conditions of approval, the alteration of site conditions beyond the scope of the approved permit to a degree that one or more of the findings required to grant the original permits can no longer be made, and for unauthorized improvements resulting in the violation of state and federal regulations on an 87.76 acre property situated in the AG-40 (Agriculture – 40-acre minimum parcel size) zone.

CEQA Determination: Staff recommends this action be found to be exempt from the California Environmental Quality Act (CEQA) under section 15321 (Class 21 – Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines.

Staff Recommendation: Adopt the resolution making findings, revoking approval of Conditional Use Permits UP14-0002 and UP15-0005 (Old Durham Wood), and ordering the applicant to cease operations on the property located at 1156 Oroville-Chico Highway (APN 040-120-033).

[Staff Report](#)

[B. Conditional Use Permit UP17-0002 \(AT&T Mobility dba AT&T Wireless\)](#)

Applicant: AT&T Mobility dba AT&T Wireless c/o Carl Jones

Planner: Mark Michelena **APN:** 028-350-055

General Plan: Rural Residential

Zoning: RR-5 (Rural Residential – 5-acre minimum parcel size)

Location: 46 Manzanella Court, south side of Manzanella Court approximately two miles southwest of the intersection of Miners Ranch Road/Foothill Boulevard and Oro Bangor Highway/Mission Olive Road, southeast of Oroville.

Request: A request for a Conditional Use Permit to construct a wireless telecommunication facility that includes a 100-foot tall monopole. AT&T is proposing to locate the antenna array at the 97-ft above ground level elevation and include an equipment shelter and a standby propane generator and a 500 gallon propane tank on a concrete slab). Utilities will be run underground, except for the coax between their equipment, which will be on an ice bridge to the tower. The monopole and ground equipment facility will be situated within a 1,200 sq. ft. lease area that will be surrounded with a 6-ft tall chain link fence with barbed wire and green slats. Access to the facility will be provided by a 12-foot wide driveway from Manzanella Court along the eastern edge of the parcel.

CEQA Determination: A draft Initial Study and Mitigated Negative Declaration has been prepared for the project.

Staff Recommendation: Adopt the Initial Study and Mitigated Negative Declaration and approve Conditional Use Permit UP17-0002 (AT&T Mobility dba AT&T Wireless), subject to findings and conditions.

[Staff Report](#)

C. Conditional Use Permit UP17-0003 (AT&T Mobility dba AT&T Wireless).

Applicant: AT&T Mobility dba AT&T Wireless c/o Sara King

Planner: Mark Michelena **APN:** 062-200-123

General Plan: Rural Residential

Zoning: RR-5 (Rural Residential – 5-acre minimum parcel size)

Location: 21 Oak Tree Lane, northwest corner of Oak Tree Lane and Bald Rock Road, approximately 2.4 miles southeast of the intersection of Oroville Quincy Highway and Oak Tree Lane, in Berry Creek.

Request: A request for a Conditional Use Permit to construct a wireless telecommunication facility that includes a 102-foot tall monopine, with an additional 5 feet of branches, for a total height of 107-feet. AT&T is proposing to locate up to 12 antennas on three sectors at the 96-ft above ground level elevation and the microwave dish at the 89-ft above ground level elevation and include an equipment shelter and a standby propane generator and a 499 gallon propane tank on a concrete slab. Utilities will be above ground to the existing utility pole located approximately 60 feet south of the leased area. The monopine and ground equipment facility will be situated within a 900 sq. ft. leased area that will be surrounded with a 6-ft tall chain link fence with barbed wire and green slats. Access to the facility will be provided by a 12-foot wide driveway from Oak Tree Lane.

CEQA Determination: A draft Initial Study and Mitigated Negative Declaration has been prepared for the project.

Staff Recommendation: Adopt the Initial Study and Mitigated Negative Declaration and approve Conditional Use Permit UP17-0003 (AT&T Mobility dba AT&T Wireless), subject to findings and conditions.

Staff Report

D. Butte County Sustainable Agricultural Lands Conservation (SALC) Strategy

Applicant: Butte County

Planner: Claudia Stuart **APN:** Various (Countywide)

General Plan: Agriculture

Zoning: AG-20 through AG-160

Location: Countywide

Request: Recommend to the Board of Supervisors acceptance of the Butte County Sustainable Agricultural Lands Conservation (SALC) Strategy. The SALC Strategy is not a regulatory change or requirement, but a set of living tools and information intended to assist farmers, ranchers, and other members of the public in voluntarily conserving agricultural lands, and in implementing farming and ranching practices that will help achieve the key sustainability goals of carbon sequestration, greenhouse gas emissions reductions, water conservation, and groundwater recharge.

CEQA Determination: Staff recommends the Planning Commission recommend to the Board of Supervisors that the Strategic Agricultural Lands Conservation (SALC) Strategy does not meet the definition of a 'project' pursuant to Section 15378 of the CEQA Guidelines.

Staff Recommendation: Adopt the resolution recommending to the Board of Supervisors acceptance of the Strategic Agricultural Lands Conservation (SALC) Strategy.

Staff Report

VI. 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. Directors' Report
- B. General Plan Follow-up and Implementation Program
- C. Update on Recent Board of Supervisors' Actions:
- D. Legislative Case Law Update
- F. Planning Commission Concerns

VII. COMMUNICATIONS - Communications received and referred. (Copies of all communications are available in the Planning Division Office.)

VIII. MINUTES: None

IX. ADJOURNMENT