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. Applicants/Agents are expected to be present to represent their items when they come up on the agenda. In the absence of representation, the Zoning Administrator will decide whether to act on the item or continue it to a future date. 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. Following your presentation, please print your name and address on the speaker’s sheet, in order to obtain correct spelling and maintain accurate records.

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.

Materials related to an item on this agenda submitted to the Zoning Administrator after distribution of the agenda packet are available for public inspection in the Development Services Department at 7 County Center Drive, Oroville, CA 95965 Monday, Tuesday, Thursday and Friday from 8:00 a.m. to 4:00 pm and Wednesday 8:00 a.m. to 3:00 p.m.

Meetings are recorded and the audio file will be placed on the Department website: www.buttecounty.net/dds/Meetings/ZA.aspx

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. Miscellaneous MISC19-0018

Applicant: Jean & Doug Magneson
Owner: Jean & Doug Magneson
Project: Miscellaneous MISC19-0018
Planner: Mark Michelena
G.P.: Very Low Density Residential (VLDR)
Zoning: VLDR-1.0 (Very Low Density Residential - 1-acre minimum parcel size)

Location: Southeast corner of the Upper Palermo Road bend, across from Carmel Avenue, at 6549 Upper Palermo Road, approximately 1.65 miles southeast of the Oroville City Limits.

Project Description: A request for a Residential Setback Determination pursuant to Butte County Code section 24-56.1. The presence of orchards in the VLDR (Very Low Density Residential) zone to the east of the proposed residential dwelling necessitate this hearing to establish a residential setback to reduce interference and conflict with preexisting agricultural operations, while providing for the development potential allowed by residential zones. The maximum feasible distance of the residential setback is approximately 150 feet from the east property line. Non-residential structures may be placed within the setback.

CEQA Determination: Ministerial projects are statutorily exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15268 of the CEQA Guidelines.

Staff Recommendation: Approve the residential setback as shown on Attachment C of the Staff report.

Appeal Period: 10 calendar days

STAFF REPORT

III. Adjournment