

BUTTE COUNTY PLANNING COMMISSION
AGENDA REPORT – April 27, 2006

FROM: Dan Breedon, AICP, Principal Planner
Butte County Department of Development Services

SUBJECT: Butte County General Plan Update/Zoning Ordinance/EIR Process

1. Draft Request for Proposal
2. Working Draft Framework of Guiding Principles
3. Formation of General Plan Steering Committee

Attachments: A. RFP (Butte County General Plan/Zoning Ord. /EIR Draft Request for Proposal)
B. Working Draft Framework of Guiding Principles

EXECUTIVE SUMMARY:

The Department of Development Services is requesting Planning Commission review on three major preliminary tasks necessary to start the General Plan Update/Zoning Ordinance Update/EIR process, including, 1) The Request for Proposals, 2) The Working Draft Framework of Guiding Principles, and 3) The formation of a General Plan Steering Committee. Staff requests that the Planning Commission review the presented information and provide recommendations and comment so that this information can be provided to the Board of Supervisors for final approval.

SUMMARY OF GENERAL PLAN UPDATE PROCESS

A General Plan is a collection of county policies regarding long-term development in the form of maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California under Government Code Section 65301, and is adopted by the Board of Supervisors. In California, the General Plan has seven mandatory elements (Circulation, Conservation, Housing, Land Use, Noise, Open Space, Safety and Seismic Safety) and may include any number of optional elements that address topics that are relevant to the community and its development.

Under California Law, the General Plan is considered the "constitution" for land use and development and represents a jurisdiction's own vision and **policy** for the future. The General Plan is shaped by the citizens of Butte County and adopted by their elected representatives serving on the Board of Supervisors. The General Plan is considered a master "blueprint"; all other County regulations are required to be consistent with its instruction and policy.

A special subset of regulations, such as the Zoning and Subdivision Ordinances, Specific Plans, and Capital Improvement Plans, serve to **implement** the General Plan's **policies** and programs by providing more detailed and specific information not contained within the General Plan.

The required and optional elements from Butte County's existing General Plan, and their dates of adoption, are provided as follows:

Existing Required General Plan Elements

1. **Land Use Element** (Adopted October 1979; amended several times since its adoption)
2. **Circulation Element** (Adopted May 1984; minor changes were made in 1988)
3. **Housing Element** (Adopted 1981, revised 1994; new element adopted in 2004)
4. **Conservation Element** (Adopted August 1971; no changes or amendments)
5. **Open Space Element** (Adopted December 1976; no changes or amendments)
6. **Safety Element** (Adopted March 1977; no changes or amendments)
7. **Noise Element** (Adopted March 1977; no changes or amendments)

Existing Optional General Plan Elements

1. **Recreation Element** (Adopted August 1971; no changes or amendments)
2. **Economy Element** (Adopted August 1971; no changes or amendments)
3. **Agricultural Element** (Adopted February 1995; no changes or amendments)
4. **Seismic Safety Element** (Adopted March 1977; no changes or amendments)
5. **Scenic Highways Element** (Adopted March 1977; no changes or amendments)

Charting the Course for the Future General Plan Update

The Butte County Department of Development Services is initiating the first steps to comprehensively update the Butte County General Plan and Zoning ordinance. As the Planning Commission is aware, an informational forum entitled "Charting the Course" was held in Oroville on April 13, 2006. The April 13 meeting begins a multi-year effort to update the Butte County General Plan that is divided into six parts as follows:

- Part 1.** Detailed Work Plan and analysis of existing General Plan,
- Part 2.** The analysis of data, trends, opportunities and constraints,
- Part 3.** The refinement of goals, policies and growth scenarios,
- Part 4.** The analysis of alternatives and Draft General Plan and Zoning Ordinance,

Part 5. Completion of a Draft Environmental Impact Report (EIR),

Part 6. Adoption of General Plan, Zoning Ordinance, and Certification of the EIR by the Board of Supervisors.

The current request before the Planning Commission concerns initial start-up work that needs to be accomplished prior to beginning Part 1 of the General Plan Update. This work includes three major preliminary tasks, including, 1) The Request for Proposals, 2) The Draft Framework of Guiding Principles, and, 3) The formation of a General Plan Steering Committee. These tasks will build the foundation necessary to complete Parts 1-6 of the General Plan/Zoning Ordinance Update. The following three sections describe these tasks in more detail.

SECTION 1. REQUEST FOR PROPOSALS (RFP) PROCESS

One of the most important parts of the General Plan Update process involves hiring a qualified consultant with the expertise and experience to get the job done. The Department of Development Services will be hiring a consultant through a Request for Proposals (RFP) process who will work with the County to comprehensively update all of the elements of the General Plan, the Zoning Ordinance, and complete an Environmental Impact Report (EIR). The consultant will work cooperatively with County staff and a Steering Committee (See Section 3) made up of individuals to be selected by the Butte County Board of Supervisors. All work will be required to conform to a “*Framework of Guiding Principles*” (See Section 2) that will be provided to each consultant prior to the bid process. These principles will include expectations for the General Plan and Zoning Ordinance Update process, although the selected consultant must be prepared to readily adapt to shifting priorities as the General Plan Update process unfolds.

The General Plan Update process will be required to follow the State of California General Plan Guidelines for preparing and amending the General Plan. A public participation program is a required part of this process. Public outreach will use a variety of techniques including web-based forums, on-line surveys, charettes, newsletters, and radio and television public service announcements.

The County intends to send the RFP to approximately 25 qualified firms who have expertise in the General Plan process. Qualified responses will be reviewed by a Board appointed selection committee and interviews will be conducted with the top 5 candidates. The top-ranked candidate will be considered by the Board of Supervisors and awarded the contract to initiate work on September 25, 2006.

Development Services staff requests that members of the Planning Commission review the Draft RFP attached to this Agenda Report and provide comment to staff for final consideration by the Board of Supervisors. The RFP is divided into several areas that are of importance to the Planning Commission, including sections describing Butte County; Previous General Plan Efforts; the Scope of Services describing the work requested; the General Plan Update Schedule; and, the Selection Process. Staff also wishes to draw the Planning Commission’s attention to several important concepts contained within the RFP as follows:

1. The use of a consolidated General Plan and Zoning Ordinance.
2. The use of Form-based Zoning Codes.
3. The use of distinct planning areas for non-urban unincorporated county lands and communities and separate planning areas for urban areas/city Spheres of Influence.
4. Using a single consultant to jointly develop two or more different General Plan updates for the County and cooperating cities with the goal of applying consistent policies where needed.

Timeline for Consultant Selection

The following timeline provides the actions and deadlines associated with the RFP:

- April 27, 2006, RFP, Framework of Guiding Principles and Steering Committee Process submitted to Planning Commission for review and comment
- May 23, 2006, RFP, Framework of Guiding Principles and Steering Committee Process submitted to Board of Supervisors for review and approval.
- May 25, 2006, RFP Mailed and emailed to all Consultants and posted on the Department of Development Services website
- June 15th, 2006 Consultants Submit Written Questions (last day) – Answers posted on the Department of Development Services website by June 20th, 2006
- July 21st, 2006 Proposals Due by 4:00 pm
(Late proposals will NOT be accepted)
- August 3rd, 2006 Finalists (up to 5) Selected for Interview
- August 15th, 2006 Finalists Interviewed By Selection Committee
- Early September, 2006 Board of Supervisors Considers Top-Ranked Proposal & Awards Contract (Estimated Date: September 12, 2006)
- September 25, 2006 Work Initiated on General Plan Update

SECTION 2. FRAMEWORK OF GUIDING PRINCIPLES –WORKING DRAFT

Butte County's *Framework of Guiding Principles* provides preliminary guidance to the staff and the selected General Plan consultant about important Butte County issues to be addressed through the General Plan update process. As the name implies, the *Working Draft Framework of Guiding Principles* provides the initial framework to begin the General Plan Update process. The *Working Draft Framework of Guiding Principles* will be reviewed by both the Planning Commission and Board of Supervisors for further review and comment. It will also be reviewed by the Board of Supervisors' authorized Steering Committee. The Steering Committee will prepare a final list of Principles for the Board of Supervisors approval prior to the hiring of the consultant to work on the General Plan/Zoning Ordinance Update.

A *Working Draft Framework of Guiding Principles* represents a starting point concerning the development of a final set of principles that will ultimately be provided to the Consultant and staff regarding the General Plan process. This document is considered a “working draft” because input is necessary from the Planning Commission, the Steering Committee, the public, and the Board of Supervisors prior to final approval. Development Services staff requests that members of the Planning Commission review the *Working Draft Framework of Guiding Principles* attached to this Agenda Report and provide comment to staff for final consideration by the Steering Committee and Board of Supervisors. The document currently includes 12 principles that are intended to encompass broad reaching issues while providing general direction for the General Plan Update. The Planning Commission should carefully consider the 12 existing principles but should not feel limited in making recommendations to add, modify or delete selected principles.

SECTION 3. GENERAL PLAN STEERING COMMITTEE

The formation of a Steering Committee is the next critical step in beginning the General Plan/Zoning Ordinance update. Development Services staff provides the following information concerning the General Plan Steering Committee process. Staff requests that the Planning Commission review this information and provide any input or recommendations on this process so that this information can be passed on to the Board of Supervisors. The Board of Supervisors will be asked to approve a Resolution approving the creation of the Butte County General Plan Update/Zoning Ordinance Steering Committee. Bylaws will be created to provide guidance and direction for the operation of the steering Committee.

What is a General Plan Steering Committee?

A steering committee is made up of a selected number of citizens usually appointed by the Board of Supervisors. The Committee primarily guides the development of objectives and policies during a General Plan update. The work of drafting the General Plan is left to the planning staff and consultant, under the periodic oversight of the steering committee. As with any appointed body, the meetings and workshops of the committee are subject to the Brown Act (§54950 et seq), requiring public notice.

Why Form a Steering Committee?

California State Statute requires only two public hearings before a jurisdiction can adopt or amend a general plan and does not require the formation of a Steering Committee. However, experience shows that a General Plan update is most successful when the General Plan’s vision stems from the public’s involvement with the process. The Steering Committee, and other public outreach tools, will assure that that public participation and education is integrated into the General Plan update process.

Butte County General Plan Steering Committee Proposal

The Butte County Steering Committee will be composed of approximately 26 non-elected members of the general public. The selection of the individuals to serve on the Steering

Committee will take place through an application process with candidates being recommended by the Department of Development Services and approved by the Board of Supervisors.

The Committee will consist of non-elected representatives from as many geographic areas of the County as possible, and is intended to represent diverse interests and include individuals with a variety of skills and experience. Although it is difficult to predict the duration of this process, the Steering Committee will meet as often as needed, but not less than once a month for a period of 12 to 15 months before the documents are ready for a series of meetings before the Butte County Planning Commission and Board of Supervisors.

Meetings will typically take approximately 4 hours; however, members may be required to serve on additional ad hoc subcommittees concerning specific issues. The Department of Development Services staff and members of the Consultant's team will provide support to the Committee to develop agendas, minutes and other required materials while working in conjunction with the Committee's elected Chairperson.

What Specific Assignments will the Steering Committee Undertake?

The Steering Committee will be charged with providing important oversight for the General Plan Update Process by systematically reviewing completed work, including draft goals, policies, and action programs, and generally providing feedback to staff and the consultant on the General Plan Update. The *Framework of Guiding Principles*, will be reviewed by the Steering Committee, approved by the Board of Supervisors, and will provide guidance during the General Plan update process. The Committee will also be charged with building community support for the Plan they are helping to create.

The Committee will be involved in reviewing the amount of growth anticipated under the various options and policies proposed, including alternative General Plan land use re-designations. The options will include selected alternatives to be evaluated under the Environmental Impact Report (EIR), a companion document to the General Plan required under the California Environmental Quality Act which will assess the environmental impacts of the General Plan Update. This work will culminate in a preliminary draft of a Preferred Plan which will ultimately be revised and refined by the Steering Committee for presentation to the Planning Commission and Board of Supervisors as Butte County's Draft General Plan 2030.

REQUESTED ACTION ON SECTIONS 1-3.

Staff requests the Planning Commission provide input at this meeting to staff regarding the three major preliminary tasks outlined above. Recommendations and changes shall be either incorporated into existing documents or provided to the Board of Supervisors for further consideration.