



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH



CYNTHIA BRYANT
DIRECTOR

July 16, 2007

Tim Snellings, Director
Butte County
Department of Development Services
7 County Center Drive
Oroville, CA 95965

**BUTTE
COUNTY**

JUL 19 2007

**DEVELOPMENT
SERVICES**

Dear Tim Snellings,

The Governor's Office of Planning and Research (OPR) is required to notify cities and counties with general plans that have not been revised in eight (8) years (Government Code Section 65040.5(a)). Our records indicate that Butte County's General Plan has not been revised in the past 8 years or more.

For purposes of this notification, a revision is considered to be a comprehensive update of at least five (5) of the seven (7) mandatory general plan elements and adopted by the local legislative body. According to our records, the mandatory elements of the General Plan for Butte County were last updated during the years noted and you are currently in the process of a comprehensive update of your General Plan.

Land Use:	1979
Circulation:	1988
Housing:	2004
Conservation:	1971
Open Space:	1976
Safety:	1977
Noise:	1977

If this information is incorrect, please contact Erin Larson at the OPR State Clearinghouse via phone (916) 322-5307 or email erin.larson@opr.ca.gov so that we may update our records.

To identify jurisdictions with 8-year-old general plans, OPR surveyed local government planning agencies in 2006 for current information regarding their general plans. In addition, OPR reviewed General Plan Annual Progress Reports, public notices from the jurisdictions, environmental document filings, as well as some jurisdictions' websites.


General plans that have not been revised within the past 8 years are not necessarily legally inadequate. However, the California Supreme Court has stated that local governments have an implied duty to keep their general plans current (*DeVita v. County of Napa*, 9 Cal. 4th 763 (1995)). Additionally, local governments must review and revise their general plans as often as they deem necessary or appropriate (Government Code Section 65103(a)). The general plan statutes do not provide a mandatory minimum time frame for revision, except for housing elements, which must be revised not less than every five years (Government Code Section 65588).

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OPR is also required to report to the Attorney General, cities and counties with general plans that have not been revised in ten (10) years (Government Code Section 65040.5(b)). We will report your jurisdiction to the Attorney General only if your general plan becomes 10-years-old. If your general plan is 10-years-old or older, we have already reported this information to the Attorney General.

If you would like to make corrections to our records, have any questions or require additional information, please call Erin Larson at (916) 322-5307 or send an email to erin.larson@opr.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Cynthia Bryant". The signature is written in a cursive, flowing style.

Cynthia Bryant
Director

Snellings, Tim

From: Snellings, Tim
Sent: Friday, July 20, 2007 8:05 AM
To: erin.larson@opr.ca.gov
Cc: Julia.Johnston@OPR.CA.GOV; Breedon, Dan; Calarco, Pete; Carvalho, Noel; Thistlethwaite, Charles
Subject: Butte County General Plan 2030 status

Hi Erin/Julia:

I am responding to a letter I received dated July 16, 2007 which highlights the status of Butte County's General Plan and the fact that nearly all of our elements are very old. As Julia is aware, we have launched our Butte County General Plan 2030 program on April 13th, 2006. We hired our consultant team (DC&E is our lead consultant in September 2006) and immediately began our comprehensive update to all elements of our General Plan and also the development of a new Zoning Ordinance concurrently. Our project is comprehensively called Butte County General Plan 2030. We are currently in the midst of Workshop Series #2/3 wherein we are finalizing 3 alternatives for each geographic area and policy issues. Our next meeting is with our 34 member Citizens Advisory Committee on August 2nd, 2007, followed up by a Planning Commission meeting on August 17th and a Board of Supervisors meeting on September 18th. Our project is planned to be complete, with a new comprehensive General Plan and Zoning Ordinance in September 2009.

You can view our efforts at <http://www.buttegeneralplan.net>.

You can also view ALL of our steps in our process to date in our ebinder at <http://www.buttegeneralplan.net/ebinder>

By the way, I was actually planning on contacting Julia as we get a little further into our process and see if you could assist in coordinating a meeting with the Attorney General's Office for a discussion on how we can make sure that our Plan adequately addresses issues related to Climate Change. I am a participant on the CSAC Climate Change Working Group and am well aware of the need to address this issue. I would like to get into sync with the Attorney General's Office and possibly have our county become a model for addressing this issue in California. I'd appreciate your thoughts/assistance in this matter.

If you have any questions or suggestions, feel free to contact me.

Sincerely, Tim

Tim Snellings, Director
County of Butte
Department of Development Services
7 County Center Drive
Oroville, CA 95965
530-538-6821 (direct)

7/20/2007