

The banner features a dark blue background with a white waterfall on the left. The text 'Butte County' is in a large, white, serif font, and 'General Plan 2030' is in a smaller, white, serif font below it. To the left of the text is the Butte County seal, which is circular and contains a landscape with mountains and a river. Below the banner is a curved strip of images showing various rural scenes: a field of yellow flowers, a cow in a green field, a white bull, a green field with a fence, a row of trees, a lake, and a wooden barn.

# Butte County

## General Plan 2030

**Butte County General Plan 2030 Citizens Advisory Committee  
December 6, 2007  
Meeting Summary**

The Citizens Advisory Committee (CAC) held an informational meeting on Thursday, December 6, 2007, following the conclusion of Meeting Series #2/3 (Alternatives Development and Finalization). The meeting was held at the Butte College Cafeteria in Oroville. The meeting was intended to provide the CAC with background information about issues related to the General Plan Update, and to discuss changes to the CAC meeting format. Of the 34 attendees at the meeting, 26 were representatives of the Citizens Advisory Committee and eight were members of the public.

### **Introduction**

Tim Snellings, Butte County Development Services Director, welcomed participants to the meeting and introduced Supervisors Dolan and Josiassen, staff and consultants. Mr. Snellings also provided an overview of the schedule and highlighted the accomplishments to date, including the Guiding Principles, City/County Summit, Briefing Book, Key Issues Summary, Meeting Series #1 and #2/3, Economic Summit, and Setting & Trends Report, which he encouraged all participants to review prior to Meeting Series #4.

Mr. Snellings then described “course corrections,” including changes to the CAC meeting process based on feedback from CAC members. For future meeting series, the first meeting in the meeting series will be specifically geared towards public input, and will be advertised to the public in that way, encouraging the public to participate at that time. The following CAC meetings will focus on CAC input, providing a separate period for public comment. In addition, the upcoming Meeting Series #4 will not include breakout groups. Rather, the process will aim for consensus among the Committee, and when there is not consensus, information about each perspective will be recorded for consideration by the Planning Commission and Board of Supervisors. The goal will be to document the CAC’s input as distinct from public input, with a particular focus on topics on which the CAC has reached consensus and topics on which clear differences of opinion remain.

### **Board of Supervisors Study Session Update**

Dan Breedon, Principal Planner with Butte County Development Services, summarized the Board of Supervisors Study Session, which was held on November 27, 2007 as the final meeting in Meeting

Series #2/3. He described that the Board made many substantive changes to the Policy Alternatives and the Land Use Alternatives. The major changes to the Land Use Alternatives directed by the Board include the following:

- Removed Study Areas A (North Chico Highway 99), B (North Chico), 4 (Chico Growth Area 1), 5 (Chico Growth Area 2), 6 (Chico Growth Area 3), D (North Butte Valley), F (Bangor Extension), and I (East Gridley Road).
- Did not extend the boundaries of Study Areas 32 (Durham), C (Upper Stilson Canyon), and 30 (Berry Creek), as recommended by the Planning Commission.
- Extended the boundaries of Study Areas 31 (SR-19 (Clark Road)/Durham Pentz), 15 (Eastern Oroville/Oroville Hills), and 16 (Stringtown Mountain Specific Plan), as recommended by the Planning Commission.
- Added the new Study Area J (Skyway/Neal Road), as recommended by the Planning Commission.

The Board approved the Transportation Alternatives with no changes. A summary of all of the Board's changes to the Land Use and Policy Alternatives will be emailed to the CAC.

#### **General Plan 2030 Contract Amendment #1**

Mr. Breedon summarized the first contract amendment for General Plan 2030, including changes to the scope of the alternatives evaluation and the existing conditions analysis, as well as flexibility for additional meetings. Specifically, the contract amendment includes the additional alternatives evaluation topics of water supply, wastewater, biological resources, cultural resources, public services, and safety and hazards. The alternatives evaluation report, which will be the product from the overall alternatives evaluation, will assist the CAC in making decisions about a preferred land use alternative. In addition, the contract amendment includes updating soils maps (expansive soils and erosion hazards) based on updated soils data provided by the Natural Resources Conservation Service. Finally, the contract amendment includes a new task to fund additional meetings beyond those included in the existing contract to provide flexibility to accommodate additional meetings as needed.

#### **CAC Questions**

Following the first round of presentations, the CAC members asked questions of staff.

Richard Coon asked for clarification about what it means for the Board to eliminate study areas. Mr. Breedon responded that although they are removed from the Alternatives, property owners still have the right to apply for a General Plan Amendment and Rezone for a proposed development plan.

Todd Hall requested an underline and strikeout version of the Policy Alternatives, based on the Board's direction. Staff will work to make clear the changes directed by the Board, but because the Board provided general guidance and did not provide specific edits, an underline and strikeout version would not be the best way to represent the Board's specific input.

### **General Plan 2030 Ad-Hoc Subcommittee and CAC Discussion**

Mr. Snellings highlighted the Procedures and Operating Guidelines of the CAC. The purpose of the CAC is to provide guidance through the input of ideas, review of draft documents, and feedback to County staff, as well as helping to build community support. The role of the CAC is a reviewing body that provides community input. Because the CAC includes a variety of perspectives, the CAC does not vote; rather, staff will work with the CAC to develop consensus where possible. When consensus is not possible, staff will gather information on the various opinions to be forwarded to the Board. Mr. Snellings also reminded the CAC of the attendance policy: if you can't participate on a regular basis, please contact staff to let them know. Mr. Snellings then introduced the two Supervisors that make up the Butte County General Plan 2030 Ad-Hoc Subcommittee: Jane Dolan and Curt Josiassen.

Supervisor Dolan highlighted the November 27 Board Study Session, and encouraged the CAC members to read the meeting summary. She explained the role of the Subcommittee, which meets regularly with staff and makes recommendations to the rest of the Board regarding logistical issues. Supervisor Dolan also thanked the CAC members for their participation and input. She noted the changes to the CAC meeting process, which were made in response to CAC member feedback. In addition, she highlighted the upcoming Meeting Series #4, when the CAC will need to make choices about the future of the county. The CAC is tasked to provide the Board with their thoughts, ideas and suggestions for the preferred land use alternative.

Supervisor Josiassen explained that they tried to create a process for the CAC that was not laden with an agenda, parameters or goals except hearing input from the CAC. The process was intended to be simple and to keep the CAC focused on the overall goal of working towards a plan that promotes economic vitality and quality of life, as well as accommodates all of the Guiding Principles. The CAC's input will help the Board to understand how different people in the county measure quality of life. Supervisor Josiassen thanked the CAC members for all of their hard work so far.

Richard Coon asked the Supervisors if the CAC is on track regarding its input. The Supervisors responded that the CAC is on track, reminding the CAC to avoid getting mired down in details and holding up the process. However, the process is flexible, and can accommodate additional meetings if necessary.

Tovey Giezentanner attended the November 27 Board meeting, and was impressed with the level of dialog by the Board. Mr. Giezentanner expressed appreciation of staff and consultants for providing the new CAC process. He also complimented David Early, founding principal of Design, Community & Environment, for how he handled the questions and debate at the Board meeting.

Helene Ginter asked about how the General Plan will address families, children and education. Supervisor Dolan highlighted the Board's direction to staff that they communicate with education and recreation districts. Mr. Snellings noted that staff is meeting with the recreation district managers, and will also meet with the school district managers in the future. Supervisor Josiassen also highlighted the other service districts, including sewer, water, and cemeteries, among others. He noted that staff has been working hard to include these service providers in the General Plan process.

Bruce McClintock noted that water is becoming a big issue in General Plan 2030, and asked the Supervisors to discuss the pros and cons of a water element. The Supervisors responded that the County is discussing water issues and that they will be a part of every decision. Whether or not water has its own element, the CAC should focus on what should be included in the General Plan overall. Mr. Snellings also highlighted Meeting Series #6, during which the CAC can provide input on the organization of the General Plan.

Mike Evans asked for the status of the FERC relicensing for the Oroville Facilities Project. Supervisor Josiassen clarified that the FERC process is still underway, and that the County is working to establish conditions on the license. In addition, FERC has filed an application for a permit under Section 404 of the Clean Water Act, and the Regional Water Board has asked for additional information for that application.

Pia Sevelius conveyed a discussion about the underutilization of Resource Conservation Districts (RCD's) at a recent North State RCD meeting. An RCD facilitator is scheduled to hold a workshop for the Butte County RCD in February to discuss how to best use the RCD district, including its federal and State funding opportunities.

#### **Panel Discussion on Local Government Funding**

Pete Calarco introduced the panel topic of local government funding and fiscal issues, discussing a few articles about the fiscalization of land use. Mr. Calarco then invited panelists to introduce themselves and describe their background.

Greg Iturria has served as the Butte County Deputy Administrative Officer for the past five years. The Chief Administrative Officer (CAO) serves as chief of staff to the Board of Supervisors. Mr. Iturria's primary duties relate to financial planning and oversight of risk management. Prior to this position, he was the CAO for Mariposa County, the Assistant CAO for Yuba County, and worked in the Management Office of Lassen County.

Andrea Redamonti is the Planning Director for the City of Gridley. Her primary duties include oversight of the Planning and Building Departments, coordination with Public Works and Engineering Departments, and some redevelopment work. Prior to beginning with the City of Gridley in 1999, Ms. Redamonti worked for the City of San Francisco Parks Department, Marin County and the Peace Corps.

Steve Peterson has served as the Planning Director for the City of Chico for the past year. The City of Chico has begun its own General Plan Update, which provides an opportunity for collaboration with the County. Mr. Peterson also oversees annexation projects, which has required a lot of coordination with the County in the past. Prior to beginning his position in Chico, he oversaw the City of Sacramento's General Plan Update.

Mr. Calarco asked Mr. Iturria how the trend of narrowing funding options has affected counties and annexation issues. Mr. Iturria responded that significant changes to county funding occurred with the passage of Proposition 13 in 1978, and again in 1991 when the State endured a recession and shifted property tax allocations. With these changes, the dynamics of competition for sales and hotel taxes came into full force. Meanwhile, there is constant pressure to increase services.

Regarding annexation issues, counties and cities typically enter into tax sharing agreements to make an annexation revenue-neutral. Some of these agreements are related to a specific annexation project, while others are countywide agreements that work at a macroeconomic level. These can help to avoid incentives for sprawl to provide a tax base for the county.

Mr. Calarco clarified for the CAC that tax sharing agreements are put in place before an annexation takes place, and covers how property, sales and other taxes will be distributed post-annexation.

Mr. Calarco asked Mr. Peterson whether prior to 1978 (when Proposition 13 was passed) land use decisions were made without regard to fiscal issues. Mr. Peterson responded that it does appear that fiscal considerations in land use decisions were less important than today. He noted that the fiscalization of land use in particular affects affordable housing and creates competition between cities and counties. Mr. Peterson sees a need to balance the various needs, and supported Butte County's fiscal analysis of the Land Use Alternatives. In Chico, the City has annexed a significant amount of land, including unincorporated islands, which is good planning policy. However, they also need an appropriate mix of development types to be fiscally healthy. The City has a master agreement with the County that addresses property and sales tax sharing.

Mr. Calarco asked Ms. Redamonti about pressure from property owners that wish to be annexed. Ms. Redamonti responded that this issue did not affect the City of Gridley until recently. When it began, the City was not prepared to respond to the developers' requests. There is currently a downturn in development levels, which gives the City some time to prepare a better plan. Ms. Redamonti also explained that, as a small city, they have had the opportunity to work with the neighboring community of Biggs on planning issues. However, development pressures have interrupted the collaborative process and led to competition between the two cities.

Mr. Calarco asked Mr. Iturria to explain master tax sharing agreements. Mr. Iturria responded that, as a result of annexations, counties lose property and other tax revenues, while cities gain those revenues. The cities often take on new services that were previously provided by the county, although the county retains responsibility for providing many services, such as public health, welfare and district attorney services. Some form of a tax agreement is required whenever a city expands its boundaries to share the lost property and sales tax revenues to the county. A master agreement can also be developed so that the county and city do not need to renegotiate with each change or amendment.

Mr. Calarco asked the panel to discuss capital improvements and continuing maintenance and examples of shared funding between cities and counties.

Mr. Peterson responded that the City of Chico has a capital improvement program, which requires a "nexus" between the plan and services required for that plan. The City has also established impact fee structures for growth areas in the City, which has helped in part to fund capital improvements. Infill development has been difficult to fund, and often creates challenges, raising the point that part of the annexation issue is treating infill and new growth areas differently. The City can work with the County at a policy level, adjusting impact fees to address infrastructure costs associated with new growth.

Mr. Iturria explained that impact fees are one-time fees charged to developers to offset the one-time cost of expanding infrastructure. In theory, the tax base will support the ongoing operations. The

County uses an independent consultant to set the impact fees, which are directed to special funds that may only be used for that specific infrastructure expansion. Over the past 15 to 20 years, impact fees have become an important funding source.

Ms. Redamonti stated that the City of Gridley established impact fees in 2001. She thinks that the developers have supported the fees because the fee structure is clear and transparent.

Mr. Calarco asked Mr. Peterson to share examples of tax sharing agreements and fiscalization of land use based on his experience. Mr. Peterson responded that in Sacramento, which is an urban county, there was more competition between the City and County over development. However, there was a master agreement in place regarding undeveloped land, which involved collaborative planning between the two agencies. Mr. Peterson also highlighted the ongoing collaboration between the City of Chico and Butte County, and the opportunity presented by the concurrent General Plan Updates. It will be important to create a good balance of social, environmental and economic elements. Yolo County is another good planning model, as it directs growth to the cities and preserves agriculture and open space.

Mr. Iturria suggested that the CAC remember the micro and macro aspects of the fiscalization of land use. On a micro basis, there is competition between cities and counties with unhealthy results. On a macro scale, the economics are set up in such a way as to provide incentives for cities and counties to have a good mix of development to provide a mix of funding sources. From Mr. Iturria's budget perspective, residential uses don't pay for themselves; if all of the development in the county consists of moderate density housing, services will decline. A good mix is needed. It is also important to remember that 80 percent of the County's budget is spent providing services to all county residents, including those that live in the cities. Only 20 percent of the budget serves only the unincorporated residents.

Scott McNall commented that the information discussed among this panel is valuable to the CAC, and they will need to review it closely. It is important to remember that growth does not necessarily lead to prosperity. Without master tax agreements in place, there will be competition between cities and counties, which will contribute to sprawl. How can the CAC provide a recommendation to the Board about this topic? It may be a policy recommendation that relates to the need for a master tax agreement before growth plans are developed.

Helene Ginter noted Mr. Peterson's experience in Sacramento, and highlighted the growth in Lincoln. She asked if the City of Lincoln can support that growth, and how funds from sources like traffic tickets and fines are used. Mr. Iturria explained that there is a complicated formula to distribute court revenues, with a significant portion going directly to the State, especially since the State took over the court system. The County's share of court revenues does not cover its maintenance costs. Mr. Peterson noted the importance of managing services, a challenge he experienced while with the City of Sacramento. It is important to not only collect fees, but also to have policies in place, as well as an efficient land use mix. To reduce trips, a good mix of residential and commercial is needed, which also solves fiscal challenges. Mr. Peterson also highlighted the importance of economic development in general, such as attracting high quality jobs.

Bill Kienzle described his understanding of the County's budget, in which only about \$60 million of the \$400 million budget is discretionary and used for police, fire, welfare, health and other services. How will the land use decisions of General Plan 2030 impact the non-discretionary funds? Mr.

Iturria responded that there are complicated formulas to determine the non-discretionary costs, and the County has no voice in the allocation. As population grows, the allocations may also increase, so in effect, County services decrease due to the increase in allocations to non-discretionary funds.

Richard Coon asked whether it would be legal for the County to use incentives to encourage certain types of development, such as green building. Mr. Iturria responded that there are some legal requirements regarding fees. Mr. Peterson responded that some development types may have less environmental impacts, and could therefore result in reduced impact fees. He agreed with Mr. Iturria that there are substantial requirements about limiting or eliminating fees; however, many agencies provide incentives by speeding up the permit process.

Tovey Giezentanner asked about the influence of a balanced budget on the fiscalization of land use. Mr. Iturria responded that the budget is required to be balanced every year, which sometimes requires increasing or reducing services.

Mr. Giezentanner then asked Mr. Peterson how the General Plan 2030 process could use the Yolo County model, in which development is directed to cities. Mr. Peterson responded that at a regional scale, directing growth to cities makes sense, as long as the fiscal health issues are addressed. In addition, the Butte Regional Habitat Conservation Plan (HCP) will likely result in many places being off-limits to development, so it will be even more important to concentrate growth in the cities.

Mr. Giezentanner also asked Mr. Peterson about the Memorandum of Understanding (MOU) between the City and County of Sacramento that delineates the roles for each agency. Mr. Peterson responded that this MOU has had mixed results. Currently, all jurisdictions in the region have signed on to smart growth through a regional planning process. Mr. Peterson highlighted a key issue that everyone should be asking: what is a land use pattern that gets people out of their cars?

Helene Ginter asked how we could foresee these issues, suggesting fiscal analyses as a possibility. Mr. Iturria responded that the County does not conduct financial analyses on a project-by-project basis. However, at a macro scale, the County does conduct budget forecasts to try to ensure a balanced budget on a year-to-year basis. Also, through the General Plan Update, the consultants will conduct a detailed analysis of the Land Use Alternatives, which will help us to understand the sustainability of each approach.

Mike Evans asked Ms. Redamonti how she was able to accomplish her work with a one-person planning department. Ms. Redamonti responded that she had great support staff and consultant assistance. For their General Plan Update and for environmental reviews, they are relying on their consultants.

Mr. Evans then asked Mr. Iturria what percentage of property tax is allocated to the County. Mr. Iturria responded that in most city areas, only about 5 to 10 percent of property taxes are allocated to the County due to the need to fund other services. In outlying areas, it can range up to 20 or 30 percent. Mr. Evans followed up by asking about sales tax allocations. Mr. Iturria explained that the County does not receive sales tax revenue generated within the cities, except in Chico, where the master agreement allocates 5 percent of the sales tax revenue to the County. In unincorporated areas, the County receives 100 percent of the sales tax revenue allocated to local governments.

Mr. Evans also asked Mr. Iturria which cities currently have master agreements with the County. Mr. Iturria responded that all of the cities except for Paradise have master agreements; individual agreements must be negotiated on a case-by-case basis for Paradise.

Todd Hall asked the panelists what general plan process or action they would like to champion to reduce the fiscalization of land use. Mr. Iturria highlighted the need for a fiscal analysis of the alternatives. Ms. Redamonti agreed with Mr. Iturria, and noted that tax-sharing agreements cannot be one-size-fits-all, suggesting that the County work individually with each City. Mr. Peterson stated that he would like a sustainable economic, environmental and social plan, and part of that is addressing the fiscal challenges. The tax sharing agreements and impact fees are tools to help the entities solve the issues; we need to also look at other funding sources.

### **Greenhouse Gas Emissions and Climate Change Overview**

Chuck Thistlethwaite then presented a basic overview of greenhouse gas (GHG) emissions and climate change. Mr. Thistlethwaite first provided definitions of several terms, including climate change, global warming, and greenhouse gases. He then described relevant legislation, including the very recent Lieberman-Warner Climate Security Act (which was just approved by the US Senate Environment and Public Works Committee), the California Global Warming Solutions Act (AB 32), and the 2007 Amendments to CEAQ on Greenhouse Gas Emissions (SB 97). Mr. Thistlethwaite then described relevant litigation, highlighting the Attorney General's lawsuit under AB 32 against San Bernardino County regarding their General Plan, and the subsequent settlement that provides guidance for general plan update processes. Mr. Thistlethwaite then described many resources to learn more about the issue, which are available on the General Plan 2030 website.

Scott McNall asked about alternative approaches to GHG reduction. Mr. Thistlethwaite responded that some measures already in place to regulate air pollutants could also be used to measure GHG's. There is not specific guidance about implementation within AB 32 or SB 97; each jurisdiction must determine what is best for that area. One important issue in Butte County is the possibility to coordinate with the City General Plan Updates, possibly working towards a climate change plan for all of the jurisdictions.

Mr. McNall followed up by asking staff to consider establishing a CAC subcommittee to focus on this issue.

Tovey Giezentanner asked whether GHGs and climate change would be considered in the Alternatives Evaluation. Mr. Thistlethwaite responded that transportation will be studied, which will inform this issue. The analysis will be a qualitative approach, using examples set by the San Bernardino County settlement. The process will consider how the General Plan policies and development proposals will reduce emissions to 1990 levels by 2020. Mr. Giezentanner responded by asking whether the analysis will not be quantitative because of a lack of a model. Mr. Thistlethwaite responded that it is difficult to generate the data for a quantitative model, and that the interpretation of AB 32 and SB 97 requirements is currently to use the best available efforts and science.

Richard Coon noted that grasslands have been found to sequester carbon, and suggested that Butte County could be designated a carbon sequestration area.

Mr. Snellings noted that a contract amendment expected in July will include a scope of work change to include a climate change analysis.

Mr. Snellings also related a question from the CAC, which asked how many CAC members agree with the statement that as a society, we are not doing enough for climate change. The majority of the CAC strongly or mildly agreed, while a few strongly disagreed.

### **Public Comment**

There were no public comments or questions.

### **Upcoming CAC Meeting**

Mr. Snellings announced the next CAC meeting date will be January 17 at Butte College, during which the CAC will learn about and discuss water issues and the HCP. He also polled the CAC about how to distribute the three CAC meetings in Meeting Series #4, and the majority of the CAC preferred two to three Saturday meetings. Mr. Snellings indicated that staff will work out some options, and present them to the CAC at the January meeting.

### **General Plan Process**

Mr. Snellings described the discussion at the November 27 Board of Supervisors Study Session regarding the General Plan process, which involves the selection of a preferred land use alternative prior to developing goals and policies. He explained that people tend to relate land use issues to maps better than written policy concepts, and by starting with a geographic-based conversation, policies will emerge through that process. These policies will be debated after the preferred alternative is mapped. The Board discussed other options, but decided to use this process.

### **Final Questions**

Richard Coon asked about an email from Eagle Creek that was sent to the entire CAC. Mr. Snellings confirmed that the email was not sent from the County, and there was no relation between the sender and former County staff person Noel Carvalho.