

88

BUTTE COUNTY

APR 25 2008

DEVELOPMENT SERVICES

To: Butte County 2030 General Plan Citizens Advisory Committee  
Butte County Planning Commission  
Butte County Board of Supervisors  
c/o Tim Snellings  
Director of Development Services  
7 County Center Drive  
Oroville, CA 95965

Re: Study Area 8: Berry Creek  
Canyon Creek Road House Cafe & Store  
9607 Oroville Quincy Highway  
Berry Creek, CA 95916

APN 061-640-012

I would like to encourage you to correct an inequity that exists concerning the zoning in Berry Creek. The above referenced business was built in 1949 and has been in continual operation serving the local community as a Restaurant, Bar, and Store. This business was also a Gas Station, Barber Shop and Blacksmith Shop.

This existing business preceded both zoning and the General Plan for Butte County. When the current General Plan was written, there were no areas in Berry Creek zoned "Commercial" and the Canyon Creek property was zoned "Unclassified" which is suitable for a single family housing, and/or agricultural use. I am sure that this oversight by the previous writers of the General Plan was unintentional and that they assumed that since Canyon Creek was a business at the time, it would always be treated as a business or commercial property. This, in fact, had been the case where over the years permits were granted to add and later remove the Gas Station, add the Barber Shop, and later to expand the store and add a walk in cooler.

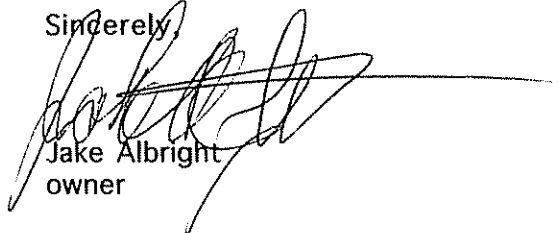
When I applied for a building permit in 2004 to add a American with Disabilities (ADA) compliant restroom, I found that this type of thinking had changed. I was informed by the then Director of Development Services that I would need to have a "Use Permit" to not only add the ADA restroom, but since there was no formal record of seats in the establishment (again, there had been tables and chairs in the building for customers since 1949), I could not have seats unless approved through the "Use Permit" process. This was later altered by the current Director of Development Services who granted a permit for the ADA compliant restroom, and also granted 15 seats. However, to gain an additional ten seats I would have to do so through a "Use Permit". Currently, this would cost at least \$12,000, and be prohibitive for a business this size.

If this business had been zoned correctly as "Commercial", and identified as such in the General Plan, none of this additional expense would be needed. Any change of character for the business would still be required to meet the existing requirements of the Building and Environmental Health Codes.

Canyon Creek Road House is located on Oro Quincy Highway, Highway 162, near the Post Office, and Harts Mill (Station 62) Fire Department. This is a well traveled route to Bucks Lake and Quincy. This business serves not only the local community of Berry Creek in providing supplies, but also the traveler who can stop and pick up camping or other items rather than returning to Oroville, or driving an eight mile trip to pick them up at the other nearest store.

Again, I would encourage you to designate APN 061-640-012 as Commercial Property during this General Plan update.

Thank you for your consideration.

Sincerely,  
  
Jake Albright  
owner

Dan Breedon  
Planner  
Dept. of Development Services  
7 County Center drive  
Oroville, CA 95965

Dear Sir:

I urge you to reconsider the fact that the current proposed County General Plan neglected to include the agricultural and grazing areas in Study Area 23. I live in the midst of this area and have frequently made use of the orchards as a consumer, rather than travel farther to make my purchases, thus saving gas, and helping the local economy.

If these small-scale crops and grazing are eliminated, and covered with dense housing, it is a given that they will not be replaced. This would be a tragedy and a great loss.

I have no problem with development, and with smart use of land. However, large scale development on unique agricultural lands makes no sense, when there is "unencumbered" land available for housing.

Please revisit the "errata memo" and realize how much unique and productive land we have here in the east foothills.

Sincerely,

A handwritten signature in cursive script that reads "Kristin Shorrock". The signature is written in black ink and is positioned below the word "Sincerely,".

Kristin Shorrock  
kris.shorrock@sbcglobal.net