

**Butte County General Plan 2030 Planning Commission
Study Session Summary
May 9, 2008**

The Butte County Planning Commission held meeting #4-3A on Friday, May 9, 2008, the first of three Planning Commission Study Sessions in Meeting Series #4 (Selection of a Preferred Land Use Alternative). The meeting was held in the Butte County Board Chambers. All five Planning Commissioners were present, including Chair Harrel Wilson, Nina Lambert, Richard Leland, Fernando Marin and Chuck Nelson.

General Plan 2030 Overview

Tim Snellings, Butte County Development Services Director, introduced the meeting and provided an overview of the study session agenda. The purpose of this study session is to familiarize the Commissioners with the alternatives evaluation and the work that has been conducted to date on the development of a preferred alternative, as well as to allow an opportunity for the Commission to hear public comments.

Mr. Snellings summarized the Butte County General Plan 2030 process, highlighting upcoming meetings, summarizing the past meetings in Meeting Series #4, and highlighting the work products to date. Mr. Snellings then displayed the Butte County Association of Governments (BCAG) growth projections for Butte County. Commissioners questioned Mr. Snellings about how the growth projections accounted for annexations. Mr. Snellings indicated that the planning process should consider growth within and around the cities, and work to accommodate a certain number of dwelling units in the General Plan. The BCAG growth projections do take into consideration the loss of units to the cities, and still finds that the county will grow by an average 1 percent growth rate.

Mr. Snellings continued by describing the roles of various participants in the project, the topics of the eight meeting series, and cooperative efforts between the Cities/Town and the County. Commissioner Nelson confirmed that the process will allow the preferred land use alternative to be revisited after the policy development phase.

Alternatives Evaluation Report Overview

Dan Breedon, Principal Planner with the Butte County Department of Development Services, provided a brief history of the Alternatives Evaluation Report, describing a contract amendment with the subconsultant team to expand the scope of the evaluation. This document is intended for use as a tool during deliberations in Meeting Series #4, and includes both summary and detailed information.

The Report covers a variety of evaluation topics, and the evaluation relied upon mapping analysis, research of existing documents and interviews with service providers. The findings are summarized using a score system of A through D; the scores are intended to allow comparison among the study areas. Some of the constraints analyzed could be mitigated through site development practices; this was not considered when assigning the scores.

Commissioner Nelson indicated that a preponderance of low scores for a study area should be considered an indication that development is not appropriate for that area. Commissioner Leland felt that there are not likely enough study areas with all high scores to accommodate the county's needed growth. Therefore, some study areas with low scores will need to be considered. He asked staff whether there is a target that they should use for the amount of development that the preferred alternative should accommodate. Mr. Snellings responded that such a target has not been identified, but that the BCAG growth projections form a baseline. The CAC's recommended alternative is about 1.5 times greater than the BCAG projection, and has an approximately 1 to 1 jobs/housing balance.

Commissioner Lambert asked how to address concerns about leapfrog development. Mr. Snellings responded that this topic was discussed among the CAC, and he expects it to be discussed further during Meeting Series #5. Commissioner Nelson asked how rural study areas were scored for services, due to the high cost of providing services in outlying areas. Mr. Snellings responded that the scores do reflect a lack of services, but also take into account the ability of larger-scale developments to establish their own infrastructure.

The Commission discussed the three themes of the alternatives that were developed during Meeting Series #2/3: Existing General Plan/Character, Concentrated Growth, and Rural Extension. The CAC's recommendation is to choose different alternatives for different study areas.

The Commission also discussed revenue sharing. When cities annex land, the County still needs to fund the many County services for those residents, such as library and court services (a full list is provided in Chapter 3 of the Setting and Trends Report). An appropriate revenue-sharing agreement would provide adequate funding for the County to continue to support those areas without receiving the tax revenue they would receive if the areas were not annexed. This helps to avoid the practice of making land use decisions based on fiscal needs. The County is working with the Cities/Town to create strategies for good planning while protecting the economic viability of each jurisdiction. Special districts are a tool of the County to fund infrastructure in areas that are not adjacent to existing services, but are not exemplary of good planning.

Public Comment Period

The majority of the study session was focused on public comments. The following is a summary of the public comments received.

General Comments

- ◆ Many developers are proposing development that is clearly outside of urban areas. A compact growth model is important for the future of our kids. We should ensure that the future for Butte County maintains open space and compact urban cores, which would generate lower impacts on public services and roads. Such development patterns allow for: improved mass transit; concentrated sewer and water that avoid nitrate problems resulting from individual treatment systems; compact energy use relying on alternative sources such as solar and wind; and healthier communities in which people live close to their jobs and reduce car trips. Sprawl creates traffic congestion and necessitates freeway

and overpass improvements to the cost of the taxpayer. There is a clear choice before the County: whether to be a good or poor steward of the land. We could make ourselves like Sacramento, the Bay Area or LA. Or we could preserve what we have: the natural beauty of Butte County.

- ◆ The grading system in the Alternatives Evaluation Report is inconsistent; some alternatives were assigned poor grades without a logical reason. We need to provide the opportunity for economic development to happen. Developers pay their fair share for infrastructure development.

Study Area 3

- ◆ Transportation, services, and agricultural preservation issues are important. Growth should be directed to existing urban areas, such as Bell Muir. The majority of the parcels in Bell Muir are already less than 5 acres, and the Farm Bureau and the City of Chico have stated that agriculture is not viable due to this parcelization. The CAC supported growth in this study area, but required that the development only occur under the City auspices and/or in close coordination with the City. The City has indicated that residential-only annexations are not likely because they don't pay for themselves. There have been numerous meetings and discussions among the County and City over the past 21 years, but there have been no formal decisions. We have learned that the City and County cannot work together on the Bell Muir area, so please remove the requirement for City/County cooperation, although it could be encouraged. During Meeting Series #2/3, there was a study area north of Bell Muir that extended to Mud Creek, but the Board of Supervisors removed it. Please consider development in the Mud Creek area; Mud Creek forms a natural greenline. As with Bell Muir, this area is close to existing services and is appropriate for development.
- ◆ The Board of Supervisors unanimously agreed to remove the area north of Bell Muir from the study areas, so it is pointless to review this area, even though the City is considering it a growth area.

Study Area 5

- ◆ A representative of the Upper Ridge Coordinating Council requested that growth be limited until: adequate water supply is assured; a new road is constructed between Chico and the Upper Ridge; there is adequate fire protection per capita, which includes the reopening of a fire station in the region; and there is adequate sheriff protection per capita. The Upper Ridge population is currently about 18,000 people, and the demographics have changed, including a trend from retired couples to younger families. This has increased the population and traffic, and meanwhile the County has ignored the area's constraints for the past 25 years. Until these four issues are addressed, limit development to one residence per parcel.
- ◆ The CAC was originally told that Alternative 3 would allow 400 new homes, but then it was corrected that it would allow 3,900 homes. The CAC revised their recommendation to allow only 400 new homes, which would downzone the Paradise Pines area to something more manageable for now until the issues area addressed.

Study Area 6

- ◆ This study area includes the largest tract of land under one ownership in Butte County, which provides a great opportunity to do something great for the community. The

development plan leaves over 80 percent of the land as permanent open space, and clusters the housing to avoid fire, water and biological constraints. The Buzztail Community Services District covers about 100 homes on a portion of the study area, and only has one access road. When developed, the landowners would work with the District to improve access. The development would not rely on individual well water or septic tanks, but rather use community systems. The vast majority of the CAC supported this proposal, recognizing its amenities, including agricultural development, agritourism, and recreation. The Alternatives Evaluation Report included factual errors in the scores that were assigned to this study area.

Study Area 8

- ◆ The Berry Creek Community Association has been recognized by the Board of Supervisors as an official voice of the citizens of Berry Creek, and we recommend adoption of our grass roots plan. This plan extends the boundary of the Berry Creek study area to the natural boundaries formed by the Middle and North Forks of the Feather River and Lake Oroville; this is the boundary used by the Butte County Fire Safe Council. Water is a critical resource and needs to be protected; we need to plan for the entire ecosystem. The Planning Commission has supported these boundaries before, and Supervisor Connelly has indicated potential support for this expanded boundary. This alternative also establishes: Rural Residential designations in areas appropriate for development, allowing 300 new homes; 20 acres of Retail along the Oro Quincy Hwy and Bald Rock Road; 50 acres for public uses; and the remaining area for Agriculture. This plan would preserve the region's rural character, plan in an orderly way, and balance needs of nature with human needs. By supporting this alternative, you will be providing a seat at the table for the community, and including us in shaping our destiny.
- ◆ During Meeting Series #2/3, the citizens recognized that this study area should be larger so that it could be analyzed, but the Board of Supervisors made decision to shrink it down. It is appropriate to enlarge this study area and provide an opportunity to analyze it.
- ◆ The CAC originally supported a different alternative, so kudos to the community for organizing around a plan. This plan should be moved forward.

Study Area 9

- ◆ This study area is adjacent to Chico, just outside the City's Sphere of Influence. It is one mile from a regional mall and abuts the existing Doe Mill development. There is very good access to the site via the Skyway, 20th Street and Doe Mill Road. There is also access to infrastructure, and there is not much traffic in the area. Although sewer is available, the property owners are looking into alternative wastewater treatment options, such as on-site treatment and release into the ground to improve recharge. The area is mostly flat, and the development plan would protect its scenic values. There are little sensitive species or habitats. This large area provides the ability to prepare a master plan. One of the core concepts is the creation of a second regional park in Butte County, easing the pressure off of Bidwell Park. The vision also includes a community park plan that has been developed in coordination with the Chico Area Parks and Recreation District. The CAC supports our proposal.

Study Area 10

- ◆ The General Manager of the Tuscan Ridge Golf Course spoke on behalf of their proposed development of 163 homes on 30 acres within the existing golf course area. Study Area 10 is very large, and this project constitutes a very small fraction of it. The golf course has been in operation for about three years, and is the only public facility with a full size practice facility. The golf course is important to the local schools, as it provides access for the golf teams to practice, and is important to the community, as it conducts many fundraising events. This golf course is also the only public facility that is not subsidized by a local government. The housing development is a way to subsidize the golf course, as it will be very difficult to survive without it.
- ◆ The alternatives evaluation was conducted for the entire study area, not at the project level. If the evaluation had focused only on the Tuscan Ridge Golf Course area, the grades would have been much higher.
- ◆ Support housing development on the Tuscan Ridge Golf Course in order to keep the golf course viable. The current owners have improved the course, but the only way to stay viable in the long-term is through the housing development. This is the only golf course close to Paradise, and it is an important recreational facility for the entire county, as it provides regular tournaments and social groups, contributes to charity, and supports local schools' golf teams. This proposal is an example of managed growth, and it will keep the housing away from the Skyway to maintain a greenbelt.
- ◆ Support housing development at Tuscan Ridge Golf Course.
- ◆ The owner of the Tuscan Ridge Golf Course commented that since he acquired it two years ago, they have improved the course. The housing development will help to maintain the golf course's fiscal health for a number of reasons, including the addition of new golf members from the development and the higher home values in golf course developments. The evaluation of this study area in the Alternatives Evaluation Report covered its entire 2,000 acres, which is mostly constrained. However, the golf course area is less constrained and developable, and the golf course would provide its own sewer and water. The development proposal is to cluster 163 homes in the center of the golf course, shielded from view from the Skyway.
- ◆ Emergency services are an important consideration for the residential development at the Tuscan Ridge Golf Course. The majority of the homebuyers would likely be retired, and would result in low impacts on police services. Retired homeowners would also contribute less to commute-time traffic on the Skyway, which is the only time that the Skyway has significant traffic. The development would also provide income from property taxes to the County.
- ◆ The Tuscan Ridge Golf Course is a benefit to the Skyway area. It provides a unique setting and is located in an area with little rain and freeze delays. Support the residential development.
- ◆ Provide the opportunity for the Tuscan Ridge Golf Course to be economically viable. The Golf Course provides important amenities for the community.
- ◆ The CAC's support was split for the Tuscan Ridge area, so there is no clear recommendation from the CAC.

Study Area 13

- ◆ The CAC has recommended Alternative 1 for this study area, which designates it for Resource Conservation. Only a portion of the site is buildable, and there are significant constraints. In particular, there is not adequate water supply. Although there are plans to extend a water pipeline to this area, it has never been built. Wells dry out early each summer, and residents rely on PG&E in the meantime. People have moved away due to the water shortage. The second major constraint is fire danger. Residents have been evacuated in the past, but there are no evacuation routes for our area. Until there is water supply and emergency access, the proposed development is unacceptable.
- ◆ The study area is owned by one ownership group. The information presented to the CAC by the consultants was incorrect. Alternative 1 normally follows the existing General Plan, but for this study area, it didn't. The existing General Plans for the County and Town of Paradise allow residential development. We've been working on groundwater monitoring over the past several years to prepare for a development application submittal to the County. A subdivision was approved for this area in the past as a second phase to the development that has been constructed, but it has since expired. We bought the property because the County had already approved development here, and environmental work was completed. We recommend Alternative 3, which allows 420 new homes as a bookend; this development level will likely be lower due to site constraints. Development will not occur until the interconnect pipeline project is complete; we will help to get that done. We have been meeting over past three years with community. The current Lago Vista Way residents are concerned about traffic, so we've acquired the rights to construct a second road. We will also buffer existing development.

Study Area 14

- ◆ The County worked to prepare Research and Business Park General Plan and Zoning classifications early in the decade. Please maintain and sustain these classifications in this General Plan Update. This site was designated as Research and Business Park in the County's feasibility study. The project would provide a 2,000-foot buffer to the landfill.

Study Area 15

- ◆ The CAC recommended Alternative 4, the project proponent's proposal. This area is often considered during planning discussions in Butte County due to its size. The Research and Business Park feasibility study identified this site for rezoning, and funds were allotted for the environmental review process. If this type of development does not occur within the cities, it should be located next to the county's largest job training facility: Butte College. This is not a developer-driven proposal. It would be a small footprint at a major intersection. Research and business parks incubate innovation and technology. There are opportunities to preserve biological and scenic resources in perpetuity. We need to start thinking about how to retain the students that are educated in Butte County. Please reconsider all six of the sites that were identified for Research and Business Park zoning. Study Area 15 has received support by the CAC.

Study Area 17

- ◆ A property owner in the Durham area had approached the County in the late 1990's about developing his 10-acre parcel, but was directed to wait for the General Plan Update.

However, his property has not been included in the study area boundary. There are houses all around this property, and it is only six blocks from the school and one and a half blocks from a major store, making it appropriate for development. The urban uses in the area are a nuisance to agricultural operations, and it is difficult to make a living growing orchard crops on this small property. This property would also be appropriate for affordable housing, a need in the Durham area.

- ◆ Earlier this year, a number of Durham residents began meeting on regular basis to establish a network for the Durham community. The Durham residents support Alternative 1, the existing Durham Dayton Nelson plan. We went through a lot of effort to put together this plan, and it should be preserved.
- ◆ Some growth should be allowed in Durham, and 5-acre parcels should be prohibited. If you don't allow growth here, it will be forced elsewhere in places that are less appropriate for development, such as Magalia. Growth helps to fund infrastructure development and the schools. This speaker supports various aspects of each alternative, as well as the Durham Dayton Nelson plan.

Study Area 19

- ◆ This study area is close to the existing industrial development at the intersection of Durham Dayton Road and Highway 99. The existing industrial development has been thriving for 20 years, providing over 500 jobs. The CAC recommended industrial development near here in Study Areas 15 and 18, but recommended that this study area remain as Agriculture. This is poor planning, as the area is not appropriate for agriculture and it has access to water, power and roads. This speaker recommends Alternative 4, the project proponent proposal for limited industrial development.

Study Area 23

- ◆ In general, this speaker supports the CAC's recommendation to follow the Oroville General Plan with the modification to allow mixed use along Miners Ranch Road. There have been some concerns about huge urban development in this study area because of the large buildout numbers. However, it is unlikely that the area will develop to that degree. There is some potential for development and economic growth here. With the new interchange at Ophir Road and the connection to the casino, the Miners Ranch Road corridor will become important and good for growth. However, the resource conservation designation north of the creek along the Oro Bangor Highway is not appropriate. There is a pending project on 90 acres in this area that would be inconsistent with the resource conservation designation.
- ◆ A resident of the Mount Ida Road area would like the rural character maintained. Urban development would change the character, eliminating 4H projects and the many farms, including oranges, mandarins, almonds, and vineyards. The weather pattern is conducive to citrus growth in this area. The CAC's recommended land use designations allow high density housing in agricultural areas, and contribute to the loss of farms, orchards, and rural character. There are three major concerns in this area, including: safety and traffic along area roads; habitat preservation; and the potential loss of affordable irrigation water if agriculture is eliminated.
- ◆ The agriculture designation is important in this area. For some reason, language about the agricultural resources was taken out of the Alternatives Evaluation Report. Agricultural tourism brings entertainment and revenue, rather than making high density

housing the goal. The passport weekend for the Oro Farm Trail is beneficial to the community and highlights the diversified farming in Butte County. Vineyards in Butte County have been successful, and there is more room for growth in this sector, but there needs to be agricultural areas for that to happen. Agriculture and agricultural tourism bring tax and tourism revenue, and benefit other local businesses. We should not only protect our agricultural designations, but enhance them.

- ◆ Maintain the agriculture designation in the east Oroville foothills. The Guiding Principles support agriculture, but the Alternatives Evaluation Report overlooked agricultural resources. Small-scale agriculture is viable in this region; it produces food and encourages agricultural tourism. Locally-grown food is good for the community, and reduces transportation costs. Once land is developed, we cannot return it to agriculture. In addition, there are many other opportunities for development in this study area that are not on agricultural land. The Alternatives Evaluation Report oversight should be corrected, and all unique farmland, all farmland of statewide importance, and most of the grazing land should be designated for Agriculture.
- ◆ Study Area 23 is one of the largest study areas, encompassing 10,030 acres. There are good locations for development, but it should not be located in agricultural areas. Please protect the agricultural areas.
- ◆ Maintain the area's current designation for Agriculture Residential, allowing 5-acre lots. This speaker disagrees with her neighbors, indicating that water is very expensive in this area, and her agricultural practices have come into conflict with adjacent residential uses. People like the view of the ranch, as long as there is no spraying and they are not doing the work. Some of the area on the upper side of Mount Ida Road is conducive to development because there is sewer and water, and it is close to town, the casino and the lake.
- ◆ There are opportunities for both agriculture and development in this area if you zone it judiciously. The agricultural areas are not likely to be developed because the roads are too narrow. Please consider the totality of Study Area 23 when you review it.
- ◆ The CAC basically voted to support the Oroville General Plan, so you should investigate the City's plans for this area.

Study Area 24

- ◆ In 1994, the Board of Supervisors unanimously approved the Stringtown Mountain Specific Plan, but it has languished since then because of a lack of sewer and water. However, there has been much progress made; LOAPUD has conducted an engineering study and route analysis, and the lawsuit between the Loafer Creek Recreation Area and LOAPUD has been resolved. The project proponents presented a fourth alternative to the CAC at their April meeting, and it was unanimously supported by the CAC. This proposal would develop the tourism potential associated with Lake Oroville, and would positively affect the county through transient occupancy taxes from the hotel, job creation, and overall economic development.

Study Area 25

- ◆ The City of Oroville just approved the Oro Bay project last night. This includes a Specific Plan designation for: 2,400 residential units; 5 acres of neighborhood commercial; 17.5 acres of public uses, including a school; 30 acres of parkland; and 50 acres of open space for wetland preservation. The County's Guiding Principles

recommend coordination with the Cities, so the County's General Plan should reflect this decision by the Oroville City Council. The CAC recommended that the existing General Plan designation of Rural Residential be maintained. This recommendation is not consistent with the Guiding Principles; the project is within Oroville's Sphere of Influence, and has been approved for this development by the City. Six of the study areas are within the Oroville General Plan area; this is the only study area for which the CAC did not recommend the City of Oroville's General Plan. This study area has access to infrastructure. The City plans to develop the airport area and the north side of Highway 162 as a major business center; it would be smart to provide housing to support this business development. This study area is not constrained by the airport land use compatibility zones.

Study Area 26

- ◆ The resource conservation designation in the northern portion of this study area is not appropriate. There is a proposal to develop a parcel in this region for 206 homes and 15 acres of open space; this is a good project. Currently, it is zoned for R-1. The developers have put a lot of effort into this plan, but with the resource conservation designation, it would be a non-conforming land use. In another area, there is a 45-acre parcel planned for development across the street from an existing school, but the CAC recommended this area for Resource Conservation. This area is on the edge of the urban uses and is currently zoned R-1 with Medium Density Residential nearby. The preferred alternative should be modified to include these properties for development.

Study Area 27

- ◆ The CAC has supported the Rio D'Oro project, with 14 members in favor of a Specific Plan designation that conforms to the City of Oroville's General Plan. The project would be a smart growth project, meets the County's Guiding Principles, is consistent with the Oroville General Plan, and is adjacent to the Oroville Sphere of Influence. It would preserve 289 acres of open space. This plan includes 337 acres of residential uses, 30 acres of commercial uses, 20 acres of public uses (including an elementary school), and 10 acres of park. It would provide a substation for fire and emergency services. The project would be environmentally sustainable, preserving wetlands and oak trees and utilizing green building practices. The project would be fiscally sustainable, funding its construction and maintenance through community services districts. The commercial uses would generate tax revenue for the County. New development would increase employment and a consumer base for the jobs/housing balance. The plan is based on the concept of a traditional neighborhood development with neighborhood focal points. It provides 9.5 miles of trail, reduces automobile dependency, and provides diverse housing types, including affordable housing. The development team will be holding town hall meetings for community input, and they've established an interactive website for information and comments: www.rio-d-oro.com.

General Plan 2030 Land Use Alternatives and Study Areas Overview/Citizens Advisory Committee Actions and Votes

Mr. Breedon presented an overview of the CAC's recommendation for a preferred land use alternative, describing the results of the straw polls that were conducted over the course of five

meetings in April and May. Mr. Breedon indicated that more detailed information about the CAC's deliberations and public comments will be provided in anticipation of the May 30 Study Session.

Planning Commission Question and Answer Period

The staff presentation was followed by time for questions from the Planning Commission. The following is a summary of the information provided in response to these questions.

- ◆ The preferred plan will be fine-tuned throughout the remainder of the process.
- ◆ The cities are all in different phases of their general plan updates. In the Oroville area, the CAC recommended that the County adopt the same General Plan designations for the majority of the study areas in that region, and an updated General Plan map was available to use. Decision-makers should consider whether it is appropriate to adopt city general plan designations, as annexations may not occur within the life of this General Plan. In some cases, an urban reserve holding pattern may be more appropriate. In addition, the CAC's recommendation is not consistent in how it addresses development by the cities. For example, the CAC directed that Bell Muir development occur under the auspices of the City, but did not use an Urban Reserve designation like in the Gridley and Biggs study areas.
- ◆ When considering annexations, LAFCO allows one vote for each registered voter of the annexation area.
- ◆ Chico is the only area with an identified nitrate concern at this time. Chico's nitrate problem is due in part to some unique soil characteristics coupled with high density development. Such development levels are not likely to occur in other parts of the county, and even if they do, septic would not be allowed in areas with poor soils. Therefore, it is not anticipated that other areas in Butte County are on their way to the same nitrate problems as in the Chico area. Nitrate sources include septic tanks as well as pesticide use, agriculture and other practices. The State has determined that a density of 1 dwelling unit per acre is appropriate for septic. In Chico, the upper aquifer is contaminated, but deeper wells reach past the contamination area.

Discussion Period for May 30th Planning Commission Study Session

Mr. Snellings presented a summary chart of the CAC's recommended preferred land use alternative, displaying the distribution of the housing units and jobs. These buildout figures were also displayed in comparison to the BCAG growth projections. The CAC's recommended preferred land use alternative is approximately 1.5 times the BCAG projection for housing. Much of the housing is clustered around Oroville. The CAC's recommended preferred land use alternative would provide for about double the amount of jobs projected by BAE in the Setting and Trends Report. However, the jobs/housing balance is about 1 to 1. Although the preferred land use alternative is taking shape, there are still issues that need to be addressed, such as the urban reserve areas and where the additional 10,000 units around Chico will be accommodated.

Mr. Snellings requested Planning Commission input regarding how to proceed during the May 30th Study Session. The Planning Commission agreed that they will review the study areas in the same order as they were reviewed by the CAC during their April meetings: the Paradise area will

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be covered first, followed by the Oroville and south county areas, and ending with the Chico and north county areas. The Planning Commission agreed that they will allow limited public comment pertaining to each geographic group of study areas prior to that discussion.