

Butte County General Plan 2030 Planning Commission
Study Session Summary
May 30, 2008

The Butte County Planning Commission held meeting #4-3B on Friday, May 30, 2008, the second of three Planning Commission Study Sessions in Meeting Series #4 (Evaluation & Selection of a Preferred Land Use Alternative). The meeting was held in the Butte County Board Chambers in Oroville. 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 the next two Planning Commission Study Sessions is for the Commissioners to select a preferred land use alternative. This meeting, #4-3B, was focused on the Paradise and Oroville areas. The Paradise Area includes study areas 5, 7, 10, 11, 12, 13, and 20. The Oroville Area includes study areas 8 and 21, 23 through 30. The following Planning Commission Study Session, #4-3C, will focus on the Biggs/Gridley and Chico areas. The Biggs/Gridley Area includes study areas 31, 33 and 34. The Chico Area includes study areas 2, 3, 4, 6, 9 and 14 through 19. The outcomes of these meetings will be incorporated into the Planning Commission's preferred land use alternative, to be forwarded to the Board of Supervisors for final consideration at their Study Sessions to be held on July 29 and July 30, 2008.

Mr. Snellings summarized the Butte County General Plan 2030 process, highlighting the upcoming meetings, the achievements to date, previous and upcoming special joint Board of Supervisors and Planning Commission workshops. Mr. Snellings announced that a special joint workshop to be held on July 22, 2008 to discuss the Butte County deer herds and the recently completed deer herd study. This meeting is designed specifically for the Planning Commission (PC) and the Board of Supervisors (BOS).

Mr. Snellings displayed the Butte County Association of Governments (BCAG) growth projections. Commissioner Leland questioned Mr. Snellings if growth rates in the unincorporated county will provide a significant number of new dwelling units. In addition, the Commissioner asked to know the number of dwelling units in the unincorporated area would factor into the BCAG projections and the Regional Housing Needs Allocation (RHNA)? Or would they count toward the cities' projections? Mr. Snellings used the City of Chico as an example, explaining that new dwelling units built in Chico's Sphere of Influence (SOI) would count toward the county's BCAG projections and the RHNA. Mr. Snellings reminded the Commission not to assume that non-study areas would remain in their current zoning designation in accordance with the existing General Plan.

Commissioner Marin reported that he met with Butte County property owners in study areas 10 and 13, who were under the impression that the Citizen's Advisory Committee (CAC) was effectively down-zoning their property. Mr. Snellings explained that the CAC and PC make recommendations to the BOS, and only the BOS can make final policy decisions regarding land use designations and zoning.

Paradise Area Preferred Alternative Discussion

Following the meeting overview, Al McGreehan, Community Development Director for the Town of Paradise, was invited to provide comments to the Planning Commission from the Town of Paradise. Mr. McGreehan presented the Planning Commission with Town's preferred land use alternative for the Paradise area, created by the Town of Paradise staff, Town Council and with input from other sources. Mr. McGreehan reported on the Town's preferred alternative and key issues that lead to the Town's selections. The following list summarizes the preferred land use alternative for the Paradise Area, as recommended to the Planning Commission by the Town of Paradise (Mr. McGreehan did not provide a recommendation for Study Area 7, Concow).

- ◆ Study Area 5, Magalia/Paradise Pines: Alternative 1
- ◆ Study Area 10, Skyway/Neal Road: Alternative 2
- ◆ Study Area 11, Paradise Urban Reserve: Alternative 1
- ◆ Study Area 12, Southeast Paradise Specific Plan: Alternatives 1, 2 & 3
- ◆ Study Area 13, South Paradise/Pentz Road: Alternative 2, assuming constraints in the area are addressed.
- ◆ Study Area 14, Nance Canyon/Highway 99: Further analysis needed
- ◆ Study Area 15, Hamlin Canyon/Highway 99: Alternative 2
- ◆ Study Area 20, Highway 191 (Clark Road)/Durham Pentz: Alternative 1

Mr. McGreehan announced that the Town of Paradise has no plans to annex study areas 5 or 13.

Public Comment Period

- ◆ Chuck Benedict, Town of Paradise resident and former water chairman for the Upper Ridge Council of Fir Haven and Del Oro, called attention to wastewater issues in the Paradise Area. Mr. Benedict warned the Commission of increased amounts of wastewater that would be generated by new housing units. The majority of houses in the Paradise Area employ septic systems which receive no monitoring or inspection, particularly in the Paradise Pines area. Mr. Benedict requested that the Commission prioritize wastewater issues and keep wastewater out of drinking reservoirs, such as Paradise Lake and the Magalia Reservoir.

- ◆ Nola Force, of the lower Yankee Hill area, reported that she is working with the Golden Feather Alliance Group to understand the needs of the Yankee Hill community. The Group proposes that Yankee Hill be included within a study area and be considered for commercial development. The Group however, needs more time to develop their vision for the Yankee Hill community.

- ◆ Moe West, a private developer in Butte County for the past 60 years, is currently involved with development of the Tuscan Ridge Golf Course. The Tuscan Ridge Golf Course is located on 2,000+ acres in Study Area 24. The golf course operates on a use permit that allows for a clubhouse and support facilities. In addition to building a clubhouse, Mr. West wants to build residential units that are not allowed under the current zoning. He requested the Planning Commission to revise the zoning in this area to include residential uses. His plans for the residential development include 163 dwelling units clustered on 35 acres. Mr. West's vision for his property also includes a resort type clubhouse with a fitness center, locker rooms, a pro shop and convenience store. The new development on the property would leave the golf course as is. Mr. West provided a list of benefits that his plans for the enhanced golf course would provide, including economic opportunities, enhanced public services, and onsite water and wastewater systems. Also incorporated in the plans for the golf course is a deeded bike path along the Skyway.

- ◆ Carol Perkins, a Board member of the Durham Mutual Water Company, expressed her concerns for water availability in the Durham community and surrounding agricultural land. She believes that growth in the study areas surrounding Durham, including the Tuscan Ridge Golf Course in Study Area 10, would negatively impact Durham's water availability. Ms. Perkins believes that using potable water for the golf course is unreasonable.

- ◆ Mike McLaughlin, of the Butte Environmental Council, expressed his concerns with the General Plan process, citing the process as an "illusion of transparency." Mr. McLaughlin believes that the process is backwards in that general plan policies should have been developed before the land use alternatives. He noted that one-third to one-half of the CAC members have quit attending meetings.

Mr. McGlaughlin also made suggestions to improve the General Plan process. He noted that developers should stop being allowed to give presentations at General Plan meetings, the CAC should make decisions by consensus instead of majority rule, public opinion should be weighted more strongly, the CAC should be self-governed and the General Plan process should solicit expert input more often.

- ◆ Travis Brown, the men's golf coach at CSU Chico, stated his support for residential development at the Tuscan Ridge Golf course, as the golf course supports the CSU and local high school golf teams.
- ◆ Robin Huffman, member of the Paradise Town Council, thought it was out of place at this meeting to hear the specifics about the Tuscan Ridge Golf Course project. Ms. Huffman does not support the golf course development because she believes water resources are drying up, as can be seen by the dying oak trees surround the Course. Also of concern to Ms. Huffman were potential traffic impacts to the Skyway.

In Study Area 5, Ms. Huffman requested clarification on exactly where the 400 new dwelling units would fit. She was confused as to why the area was recommended for concentrated growth when the Study Area itself is so disconnected from an urban area. Additionally, Ms. Huffman read comments written by April Grossberger citing errors in the Alternatives Evaluation Report, including discrepancies in distances between a study area and the closest fire station.

- ◆ Sandy Allen supported residential development of the Tuscan Ridge Golf Course because the course supports the Oroville High School golf program.
- ◆ Jay Berkowitz, General Manager of the Tuscan Ridge Golf Course, collected 1,000 signatures in support of developing the golf course, including support from the Butte County Fire Chief. Mr. Berkowitz explained that the Tuscan Ridge Golf Course assists fire fighters in storing and delivering water to fight hard to reach fires.
- ◆ Maria Philips, from the Chico Area, noted the absence of many CAC members from their meetings and felt that the General Plan process should be considering policy before mapping land use alternatives. Ms. Philips also expressed her concern for water insecurity within the county.
- ◆ Alan White, Mayor of the Town of Paradise, reported that the Town needs 3,427 new dwelling units to complete the Town's growth projections, but the Town is lacking parcels enough to accommodate this projected demand. Mayor White sees annexation as one of the few possible options to accommodate this growth, however, he is not interested in annexation. He supports cluster development and suggests study areas 10, 11, 12 and 13 for future residential growth. In addition to circulation improvements, Study Area 13 needs a strong Mello Roos district to provide water, police and fire services, which could better serve clustered development. Mayor White does not support additional housing units in Study Area 5, but would approve commercial uses. Mayor White is not in favor of building houses along the Skyway because they would negatively

impact the viewshed, rather, he is in favor of zoning the golf course in Study Area 10 a Public Utility District with a Recreation overlay.

Mr. White's comments concluded the public comment period, and were followed by an hour lunch break. The meeting reconvened after lunch with the last public comments regarding the Paradise Area.

- ◆ Scott Wycoff proposed to connect the Lime Saddle Water District, which services the Town of Paradise, with the Del Oro Water Company, which services Study Area 13. This connection would be logical since Study Area 13 is within the Town's Sphere of Influence. Connecting these water districts would allow water to flow from Lake Oroville to the Paradise Irrigation District to the Magalia and Paradise Pines communities. With water service, these communities could keep their existing land use designations and meanwhile, direct new growth to areas of existing infrastructure.
- ◆ Sue Seropian, a resident in the Paradise Area and Citizens Advisory Committee member, cautioned against development in Study Area 13. Of the 320 acres in Study Area 13, she believes only 100 acres are appropriate for development. Providing water to new homes in this area would be difficult and fire hazard is a particularly important issue. Study Area 13 is also far from commercial services. Ms. Seropian feels that people come to this area to live on 1 acre lots, and this is the density that should remain.
- ◆ Mark Adams presented his concerns about the Lago Vista area. For Study Area 13, he wants to maintain the existing zoning designations. He urged the Planning Commission to avoid discussing the specifics of any area and to focus on whether or not development is appropriate. Mr. Adams expressed concerns about changing the current Agriculture-Residential designation in Study Area 13 to Resource Conservation, which would not allow any development, while areas to the west and south, which are arguably less appropriate for development, would maintain their Agriculture-Residential designations.
- ◆ Nola Force suggested land uses for the intersection of Highway 191 and Durham Pentz Road. Two corners should have neighborhood commercial uses, the third corner is the gateway to Butte College and the fourth corner, more than 3,500 acres currently used for grazing but is not good agricultural land, would be appropriate for future residential uses.

The conclusion of the public comment period transitioned into the Planning Commission discussion about the Paradise Area Alternative. The discussion was lead by Joanna Jansen, Senior Associate at DC&E, who provided the Planning Commission with a slide show of maps to illustrate each of the alternatives, the CAC's voting history for each study area and the CAC's recommended preferred land use alternative. Using the CAC's input, the

Planning Commission deliberated on the appropriate level of development for each study area.

Study Area 5 Magalia/Paradise Pines

Constraints in this area, such as high fire hazard and evacuation routes, were discussed. The Commission supported the CAC's recommendation, Alternative 4, capping the maximum number of new dwelling units in this area to 400. The vote was 4-1, with Commissioner Marin opposed due to concerns that this alternative would result in downzoning.

Study Area 7 Concon

The Commission decided that Study Area 7 was too remote for a significant number of new dwelling units. The Commissioners voted to confirm Alternative 2, the CAC's recommendation. The vote was 4-0-1 with Commissioner Marin abstaining.

Study Area 10 Skyway/Neal Road

The Commission discussed concerns about disconnected development and traffic issues on the Skyway. The Commission agreed that because there is existing infrastructure in this area, some level of development is appropriate. Development would suit retirees and other housing groups who don't have a daily commute to work or school. The Commission supported 165 dwelling units through a Planned Unit Development (PUD) at the Tuscan Ridge Golf Course portion of the Study Area, and Alternative 1 for the remaining area. The vote was 3-2, with Commissioners Leland and Lambert opposed.

Study Area 11 Paradise Urban Reserve

The Commission supported the CAC's recommendation to keep the Urban Reserve designation. The vote was unanimous.

Study Area 12 Southeast Paradise Specific Plan

The Commission supported the CAC's recommendation to endorse the Southeast Paradise Specific Plan currently being prepared by the Town of Paradise, with Urban Reserve as an underlying designation. The Specific Plan provides for approximately 600 new homes. The vote was unanimous.

Study Area 13 South Paradise/Pentz Road

The Commission discussed potential constraints such as cultural resources and deer herd habitat. The Commissioners supported to keep the existing residential designation to allow a mix of residential development and open space as part of a Planned Unit Development (PUD), potentially allowing up to 335 clustered dwelling units in this area. The vote was unanimous.

Study Area 20 Highway 191 (Clark Road)/Durham Pentz

The Commission generally did not support growth in this area, since it is disconnected from any existing urban area. The Commission voted for Alternative 1, supporting Retail designations in the southwest and southeast corners of the intersection of Clark Road and Durham Pentz Road, and the remainder of the area designated for Agriculture. This would remove the CAC's recommended Retail designation in the northeast corner of the intersection. The vote was 4-1 with Commissioner Marin opposed, because he supported the extended Retail designation in the CAC's Preferred Land Use Alternative.

Oroville Area Preferred Alternative Discussion

Craig Sanders, representing the City of Oroville Community Development Department, was invited to provide comments to the Planning Commission on the study areas in the Oroville Area. The following list summarizes the comments Mr. Sanders provided the Planning Commission on Study Areas 21 and 23 through 26 (Mr. Sanders did not have comments concerning the other Study Areas in this area).

- ◆ Study Area 21, Thermalito: The City recommends the City of Oroville General Plan.
- ◆ Study Area 23, Eastern Oroville/Oroville Hills: The City does not support mixed use development on Miners Ranch Road, since this is a rural roadway along a designated Alquist-Priolo Special Study Zone fault line.
- ◆ Study Area 24, Stringtown Mountain: The City is concerned about potential traffic impacts along Olive Highway.
- ◆ Study Area 25, Thermalito Afterbay Area: The City recommends the recently adopted Oro Bay Specific Plan for this area.
- ◆ Study Area 26, Las Plumas/Southside/Ophir Road: The City recommends the City of Oroville General Plan.

Public Comment Period

- ◆ Mark Adams spoke about Study Area 24, recalling how Alternative 4 was derived. Originally, the three proposed alternatives didn't meet the land owner's vision for the parcel and Alternative 4 was proposed to foster resort development. Alternative 4 was one of the few alternatives to meet each of the CAC's Guiding Principles. The CAC unanimously supported Alternative 4 and Mr. Adams urged the Planning Commission to do the same.

- ◆ Chris Hawk, of Oro Bay Association, LLC, commented on the benefits the Oro Bay project in Study Area 25. Mr. Hawk cited the open space, park lands and school facilities the project would provide, in addition to being smart growth development within Oroville's SOI and consistent with the CAC's guiding principles.

- ◆ Cindy Mills, of Harvest Hill Pumpkin Farm on the Sierra Oro Farm Trail, wanted Study Area 23 to continue in agriculture, for raising livestock and vineyards. Ms. Mills wants small family farms in that area, she does not want increased residential development there.

- ◆ Jean Cecchi, of Grey Fox Vineyards in Study Area 23, agreed previously with Ms. Mills. Ms. Cecchi reported that her land is Unique Farmland and it should be protected. In addition, Ms. Cecchi wants to bring more Agri-tourism to the area by promoting the already popular Passport Weekend, bringing additional income to the County.

- ◆ Tejinder Mann, a property owner in Study Area 26 and an elected official in Yuba City, hasn't been able to attend public meetings on zoning changes to his property. Originally, his property was designated Medium/High Density Residential, but would be designated Low Density Residential under the CAC's Preferred Land Use Alternative for Study Area 26. Mr. Mann requested that the Planning Commission vote to retain his property's current designation.

- ◆ Jim Bishop spoke to the Commission in favor of preserving long-established and viable agricultural operations in Study Area 23. He requested the Planning Commission designate agricultural parcels in this area for Agriculture, since the Rural Residential designation in the CAC's Preferred Land Use Alternative would encourage conversion to urban development.

- ◆ Scott Perkins, of the PLM Group, wants to keep the Rural Residential designation in the CAC's Preferred Land Use Alternative for Study Area 23 and supports the CAC's suggestion to add a commercial, mixed-use corridor on Miners Ranch Road. Alternative 1 is relatively close to the existing General Plan. He confirmed the CAC's recommendation of Study Area 23, but requested that the Residential Commercial zone be changed to a Residential Industrial designation because of contamination issues on the Moss and Versie's Place properties on Lower Wyandotte Road.

- ◆ Roger Cutler requested that the Planning Commission support the Berry Creek Community Association's proposed area plan for Study Area 8, in order to retain rural character, build in an orderly manner and protect natural resources.

The conclusion of the public comment period transitioned into the Planning Commission's discussion about the Oroville Area Alternative. The discussion was lead by Joanna Jansen, who provided the Planning Commission with a slide show of maps to illustrate each of the alternatives, the CAC's voting history for each study area and the CAC's recommended preferred land use alternative. Using the CAC's input, the Planning Commission deliberated on the appropriate level of development for each study area.

Study Area 8 Berry Creek

The Commission discussed the remoteness of Berry Creek, the lack of transit and the landslide potential in the Area. The Commission supported Alternative 4, per the community members' request and the CAC's recommendation. The vote was unanimous.

Study Area 21 Thermalito

The Commission discussed market viability and the jobs housing balance in the Thermalito Area. The Commission voted in favor of the CAC's recommendation to support the City of Oroville's General Plan and the majority of the area in Medium to Medium/High density Residential with Residential-Mixed Use on Oro Dam Boulevard. The vote was unanimous.

Study Area 23 Eastern Oroville/Oroville Hills

The Commission discussed constraints in this area, including water recharge, biological habitat and cultural resource preservation. The Commission voted in favor of the CAC recommendation to support the City of Oroville's General Plan. However, the Commission also directed staff and consultants to consider adding a new designation in this area that would protect specialty agriculture, and that the Versie's Place and Moss properties should not be included in the Resource Conservation designation. The vote was unanimous.

Study Area 24 Stringtown Mountain

Stringtown Mountain was discussed as needing approval for more development to fund amenities to service the area, for example an onsite wastewater treatment plant. The Commission voted in favor of the CAC's recommendation of Alternative 4, with a mixture of Very Low, Medium and Medium-High Density Residential, clustered development where appropriate, a resort, a small retail area and a total of 2,700 new homes. The vote was 4-1, with Commissioner Nelson opposed due to concerns about development in this undeveloped area.

Study Area 25 Thermalito Afterbay Area

At the outset of the discussion of this area, Joanna Jansen pointed out that the Oroville City Council had recently adopted the Oro Bay Specific Plan, certified the Specific Plan EIR, and directed staff to begin annexation discussions with Butte County LAFCO. The Oro Bay Specific Plan calls for a mix of residential densities on the site, with up to 2,400 new units, and some retail along Highway 162. It is similar to Alternative 3. However, this study area is currently within the County and will remain under County jurisdiction until and unless it is annexed. Commissioners Leland and Marin supported residential development in this area, since it would be close to jobs in the Oroville Airport Business Park. However, Commissioner Nelson opposed new homes here, since he felt that level of development would be appropriate for a City project but not the County. Although the Commissioners were not opposed to development in this area happening under the auspices of the City of Oroville, the majority did not feel that the County should develop this area. The

Commission voted in support of Alternative 2, keeping this area in agriculture. The vote was 4-1, with Commissioner Wilson opposed because he supported residential development under either the County or the City.

Study Area 26 Las Plumas/Southside/Ophir Road

The Commission discussed supporting the City of Oroville's Plan and whether or not it was appropriate to change the zoning designation of one parcel, Mr. Mann's parcel, within this Plan area. The Commission denied Mr. Mann's request, saying that the City had determined appropriate designations through an intensive planning process, and that it would be inappropriate for the Planning Commission to change parcels within an area that the City had already planned without knowing more about the context for their decision. The Commission supported Alternative 4 per the City of Oroville request and the CAC's recommendation, which allows for approximately 9,000 new homes. The vote was 4-1, with Commissioner Marin opposed due to his concerns that this alternative includes downzoning of some properties.

Study Area 27 Pacific Heights Road/ Highway 70

The Commission discussed this area as a gateway to Butte County that should have attractive amenities. Commissioners Wilson and Leland expressed skepticism that development this far from the center of Oroville would move forward. The Commission voted to support the CAC recommendation to designate the study area as Agriculture with a Specific Plan Overlay. The vote was 4-1, with Commissioner Nelson opposed due to his concern that the amount of new housing under consideration for this area was excessive.

Study Area 28 Southern Oroville

The Commission voted to support the CAC's recommendation to follow the Oroville General Plan in this area, meaning the majority would be designated Rural Residential, allowing 400 new homes, with an and Environmental/Safety designation along Highway 70. The vote was unanimous.

Study Area 29 Palermo

The Commission voted to support the CAC's recommendation to designate the majority of area as Agriculture, with Very Low Density Residential near the town center, allowing 400 new homes and 20 acres of retail and industrial uses. The vote was unanimous.

Study Area 30 Bangor

The Commission voted to support the CAC's recommendation for the majority of the area to be designation in Agriculture and not allowing a significant number of new homes. The vote was unanimous.

After the Planning Commission's discussion, Mr. Snellings reminded the Commission and the public attendees about the upcoming CAC meeting to discuss the organization of the General Plan 2030 on June 5, 2008 at 5:00 pm in the Bell Memorial Union on the CSU Chico campus.