

Butte County General Plan 2030
Citizens Advisory Committee Special Meeting:
The Format of the General Plan
Thursday, June 5, 2008

Meeting Notes

The goal of this CAC Special Meeting was to develop recommendations for the draft format of the General Plan. The meeting was held at the Bell Memorial Union on the California State University, Chico campus, and was attended by 15 members of the Citizen's Advisory Committee and approximately 23 members of the public. Planning Commissioners Chuck Nelson and Nina Lambert also attended.

Meeting Overview

Tim Snellings, Director of Development Services, opened the meeting with an overview of the project schedule and guiding principles. He reviewed the background and purpose of the current meeting: to create a format for the policies that will be developed for the General Plan. Mr. Snellings noted that the General Plan outline developed this evening can be modified as needed to reflect the results of Workshop Series #5 (Goals and Policies). He further clarified that the purpose of the meeting is to draft a general outline, rather than specific policies for the plan. Mr. Snellings then reviewed the meeting agenda package.

Sample General Plan Formats

Chuck Thistlethwaite, Planning Manager, reviewed the organization of the Marin Countywide Plan, the Inyo County Goals and Policies Report, and the Shasta County General Plan. Marin grouped their plan into three sections: a Natural Systems and Agriculture Element, a Built Environment Element, and a Socioeconomic Element. The Inyo County General Plan includes cross-referencing among the elements. The Shasta County General Plan is organized into three groups of elements: Public Safety, Resources, and Community Development. Mr. Thistlethwaite concluded by identifying General Plan users: the general public, developers, planners, the Planning Commission, the Board of Supervisors, and anyone seeking information about the County's land-use goals and policies.

Panel: Organizing a General Plan Document

Pete Calarco, Assistant Director, then convened the panel of speakers: Scott Morgan, Senior Planner, California State Office of Planning and Research (OPR); Bob Gaiser, Planner, Sonoma County; and Joanna Jansen, Senior Associate, Design Community and Environment (DC&E). Ms. Jansen also serves as the consultant's Senior Associate in Charge for the Butte County General Plan update. Mr. Calarco encouraged the CAC and public to consider this an opportunity to ask questions and get additional input from the panelists. He then turned the floor over to Mr. Morgan.

Consolidated Elements or Optional Elements: Guidelines for General Plan Format

Mr. Morgan reported that counties may complete the General Plan as they wish, as long as it meets state requirements. He clarified that the state format guidelines allow jurisdictions to build a General Plan that works for them. A General Plan must address statutory requirements, but elements do not need to be in separate chapters or documents. State law allows for the combining of elements. Optional elements can be used to highlight important community issues or goals (for example, cultural resources, agriculture, or recreation).

Mr. Morgan described the benefits associated with consolidating elements, including the more seamless integration of goals and policies. Consolidated plans are usually more concise, easier to read and understand, and often easier to implement. However, it can be difficult to ascertain how a consolidated plan addresses the requirements of state law for each of the seven required elements. It can also be more difficult to amend a consolidated plan because it may not be clear which required element is being amended. Separating elements, however, can incur additional costs over the life of the plan as each element is updated. Mr. Morgan summarized by reiterating that Butte County will need to determine what works best for it through discussion.

Optional Elements: The Sonoma County Experience

Bob Gaiser of Sonoma County noted that he was a Butte County staff planner in the 1970s and worked on several Butte County General Plan elements that are still in effect. He emphasized that the updated plan must be complete and must address all legal requirements, but after meeting those criteria the most important aspect is that the Plan is clear.

Mr. Gaiser compared the existing (1989) Sonoma County General Plan with the proposed (2020) Sonoma County General Plan currently being developed. He noted that the existing plan includes an Agricultural Resources Element. In its update, Sonoma County decided to continue using most of the existing elements, with the consolidation of the Open Space and Conservation Elements, and the addition of a Water Resources Element. Mr. Gaiser reviewed the process by which Sonoma County developed its Water Resources Element, noting that data and information was addressed by the County's EIR, while the General Plan set forth policy.

General Plan Approaches: A Consultant's Perspective

Joanna Jansen of DC&E spoke of her firm's experience in helping local jurisdictions organize their General Plan documents, emphasizing the flexibility that is available to address issues of importance to Butte County. She described the equal legal status of each element of the General Plan, citing this as a reason that internal consistency is also required.

Ms. Jansen noted that the General Plan focus is on physical development. She reviewed vertical consistency: that is, the need for consistency between the General Plan and background data, between the plan and the zoning ordinance, and between the plan and other policy documents. Horizontal consistency, between policies in different elements and sections of the General Plan, is also crucial. She emphasized that the document needs to be easy to use and understand. She reviewed common configurations: combining Conservation and Open Space; combining Safety and Noise into an "Environmental Management" Element; and splitting Circulation and Public Facilities into separate elements. She noted that hundreds of jurisdictions have included optional

elements, and that the scope of work for the Butte County General Plan includes an optional Agriculture Element and a County Character Element, and can also cover a Water Resources Element.

Ms. Jansen described the benefits of fewer elements: the ability to better capture interrelationships among issues, to increase coherence and integration, and to reduce redundancy. She noted that her firm has recently heard much interest in the themes of sustainability, public health, and climate change. DC&E believes that these issues are too all-encompassing to isolate in separate elements, but should instead be integrated throughout the plan. Policies addressing such overarching themes can be identified by a special symbol or icon in the plan, and relevant policies can be compiled in an appendix if desired.

Mr. Calarco then opened the floor for CAC questions.

Questions and Answers

Sue Seropian asked Mr. Morgan for the appropriate state contact to discuss the treatment of Native American issues and cultural resources in the General Plan. Mr. Morgan noted state requirements to consult with tribes. The Native American Heritage Commission (NAHC) also has information dealing with tribes and identifying specific tribes with whom local jurisdictions must consult. He noted that California State University, Chico can provide specific cultural resource information only to licensed archaeologists who can guarantee confidentiality.

Michael Evans asked Mr. Morgan about the process to amend plan elements. Mr. Morgan replied that jurisdictions can amend each mandatory element four times per year. However, the adoption of a single “amendment” may cover changes to multiple policies or designations. He noted that jurisdictions usually have a quarterly schedule for amendments, and usually combine a number of actions in the quarterly amendment as a way to effectively meet this requirement.

Steve Rodowick asked if it would be best to defer Plan organization to staff planners, since they use the Plan most often. Mr. Calarco replied that planning staff is a key user group, but Butte County’s staff wants to solicit public input regarding what will best serve public needs.

Mr. Morgan added that it is best to keep the body of the General Plan fairly simple and easy to use. Ms. Jansen noted that anyone should be able to pick up and use the General Plan – for example, property owners, who seldom use the Plan, should find it easy to use. Mr. Gaiser noted that staff is competent to determine this question, but again noted that the key to a successful Plan is legibility.

John Anderson commented that if the General Plan is to serve as a constitution, the US Constitution and its Articles provide some thoughts. He asked whether thresholds and performance measures for water would assist in water management. Mr. Gaiser responded by explaining that environmental review of water-related permits and discretionary projects is a challenging issue for Sonoma County. Sonoma County expects to modify its well ordinance to include higher standards for well permits. Then the question becomes whether the specific measure is sufficient to respond to environmental review requirements.

Mr. Anderson commented that more specific and extensive policies in the Plan create less potential to balance various issues in determining whether a land-use decision is consistent with the overall Plan. Mr. Morgan responded that he normally views the General Plan as a broad policy document which is not intended to serve as a sole basis for review of all land-use decisions. For example, review of projects for consistency with studies or ordinances could be required. Mr. Gaiser added that one approach to exempting individual permits from CEQA is to upgrade the requirements for ministerial permits to clear, quantitative objective standards that meet CEQA requirements.

Bill Kienzle asked why Butte County has already identified a potential Agricultural Element for its General Plan. Ms. Jansen responded that this was identified at the time DC&E responded to the request for proposals, and the agenda for the evening is to more firmly determine what to include in the draft format. Mr. Black then asked why the County has an Agricultural Element now. Mr. Calarco responded that at the time of its development there was interest in the County in creating policies specifically addressing agriculture.

Todd Hall noted that water is related to many portions of a future plan, and that this may be a reason to pull water out as a separate element. He asked for a more specific explanation of why some elements should be isolated. Ms. Jansen responded that water can be viewed as a holistic system which lends itself to a single element, but it can also be viewed as a theme running through many elements. The decision can be based on whether an issue is something confined and can be isolated; or whether it (like sustainability) would be applicable to policies throughout the document.

Mr. Hall followed with a question about the overall state trend for treating water as a separate element. Mr. Morgan replied that he believes more plans will contain a separate Water Element in the future. He contrasted this to sustainability, which is a theme behind everything that is set forth as policy in a general plan.

Mr. Hall asked whether Sonoma County's main reason for pulling water out as a separate element was public demand. Mr. Gaiser answered in the affirmative, but added that water is also a key resource management issue. He noted that Sonoma County addressed flood hazard in its Safety, rather than Water Element. Mr. Hall asked whether public opinion in Sonoma County concluded that treating water as a separate element was the best approach. Mr. Gaiser replied that the decision to include it separately was made five years ago and there has been no controversy on that point.

Jeff Carter asked whether Mr. Gaiser sees any disadvantages to addressing water in a separate element. Mr. Gaiser replied that as long as requirements and issues are covered, there is no specific concern.

Donna Bayles asked how much of Sonoma County's water policy addresses actions outside its jurisdiction, and also whether Mr. Morgan had feedback on how inter-jurisdictional water management is usually addressed. Mr. Gaiser responded that Counties have no direct control over other jurisdictions. Mr. Morgan added that it might be possible to develop a Memorandum of Understanding (MOU) for coordinated water management with other jurisdictions. General Plan policies could stipulate that the County would strive to develop such an agreement. Ms. Jansen noted that inter-

jurisdictional coordination would be a specific, measurable program that could be included in the General Plan as an action item.

John Anderson asked how thresholds can be set for resources that cross jurisdictional boundaries. Ms. Jansen replied that the County can set policy to monitor specific indicators using identified thresholds, but may not have complete control over the affected resource.

Mr. Calarco then opened the floor to questions from the public.

Public and CAC Input/Ideas

Dylan Paul asked how grey water can be integrated into a Water Element. Mr. Gaiser answered that there are policies in Sonoma County's Resource Conservation Element addressing grey water and waste water treatment. Mr. Morgan added that water re-use policies are very appropriate for a General Plan. The general public may be concerned about water use, but the General Plan can also educate the public on the county's water policies and goals.

Paul Gosselin, Director of Butte County Department of Water and Resource Conservation added that the County participates in a four-county MOU with Colusa, Glenn, and Tehama Counties for cooperating on water-management projects and addressing potential impacts of such projects. The MOU is three years old and expanding in scope.

Grace Marvin of the Sierra Club Yahi Group noted that her group has consistently requested a Water Element. She inquired regarding the extent to which the state can bypass policies expressed in a county General Plan, and whether the County could develop policies that conflict with the water management MOU. Mr. Morgan replied that the state allocates surface water but not ground water. Mr. Gosselin added that the MOU is general in scope. If a participating county wants to change the affected policies, the MOU can be dropped by that county, or amended. However, all the County's policy documents would need to be consistent.

Mr. Calarco reminded participants that tonight's meeting is intended to focus on the format of the General Plan, and that Meeting Series #5 (Goals and Policies) will address policies.

Bob Klang asked whether there are General Plans around the state that are working especially well in terms of compliance and usability. Ms. Jansen replied that General Plans are developed in the circumstances unique to each jurisdiction. Most jurisdictions find that the plan they create works for them. Mr. Morgan agreed that whatever works for the local jurisdiction is best. Mr. Gaiser added that counties are sued on General Plans usually on the basis of procedure, so it is extremely important to adhere to procedure correctly. Otherwise, jurisdictions are not often sued unless their General Plans get very out of date. Bruce McClintock asked whether low levels of future development would ensure less liability. Mr. Gaiser answered that this is not the case.

A member of the public asked whether cross-referencing could be used to assist in achieving internal plan consistency; and whether there is any reason not to include a Water Element. Ms. Jansen replied that the Butte County General Plan will be internally

cross referenced, and also should respond to public concerns, whether through a Water Element, an Agriculture Element, or otherwise. The commenter suggested a poll before the end of the meeting to clarify interest in a Water Element.

D.C. Jones asked whether Sonoma County's Water Resources Element is a stand-alone element or if water policies are integrated into other elements. Mr. Gaiser responded with the example of flood hazard which is most closely related to the Safety Element and is included there.

The CAC invited members of the public to seat themselves at the CAC table.

Roundtable Discussion: Preliminary Recommendations for General Plan Organization

Ms. Jansen initiated the session by asking what participants think should be included in the General Plan. Steve Rodowick suggested a Water Element. Mike McLaughlin of Paradise recommended incorporating County Character as an element to be developed before the Land Use, Agriculture, and Circulation Elements. He added that the County needs to ensure the Skyway viewshed and corridor.

Jeff Carter agreed that a Community (County) Character Element should be developed early in the process, stating that a vision for the County needs to precede the development of policies or a Land Use Element. Mr. Carter feels that water should be an element, and sustainability. He expressed appreciation of the DC&E outline, but would add water and sustainability elements.

Sue Seropian asked for clarification of a Community (County) Character Element. Mr. Carter responded that the Chico General Plan provides a good example. The County could be divided into five separate areas around its urban areas. All of the 13 Guiding Principles could be addressed in a County Character element.

Ms. Jansen replied that an executive summary would include a vision statement for the County. She reiterated that every element of the General Plan has equal legal status, and that being placed in a separate element does not confer any greater degree of importance upon planning policies.

Emily Fisher concurred that County Character could include a vision incorporating the Guiding Principles. She brought up the idea of an Economic Development Element, which many jurisdictions have.

Todd Hall replied that perhaps the Guiding Principles should be inserted into the Executive Summary. Ms. Fisher agreed. Ms. Jansen replied that the Guiding Principles should be included in the General Plan in some way, perhaps in the introduction so that they would clearly apply to the entire Plan. She clarified that the County Character Element would include specific policies about neighborhood design.

Marian Gage, Health and Safety Administrator of the Butte County Office of Education commented that she did not see key terms related to youth development represented in the proposed outline, and asked how the issue would fit in. She proposed including youth-related policies. Principal Planner Dan Breedon indicated that he received a letter and materials from Jana Wilson and Butte County Planning Commission Chair Harrel

Wilson, neither of whom could attend tonight's meeting due to a family emergency. The letter was distributed to the CAC and entered into the record. The letter supports addressing youth development policies in the General Plan and includes suggested youth development policies.

Kate Leyden commented that she would like the Guiding Principles included in the General Plan, especially regarding Economic Development. Todd Hall supported including youth development as a Guiding Principle. He also noted that aspects of sustainability that are not included elsewhere would be the appropriate policies to include in a Sustainability Element.

Mike Weissenborn alluded to the use of the document, suggesting that it will be web-based. He suggested visualizing the plan as seen on a computer. He supported the idea of sustainability as an important theme, and suggested a guiding principle or policy requiring that each element address sustainability. Mr. Hall suggested that the Executive Summary clarify that Guiding Principles apply to all elements.

Marian Gage noted that each city has conducted youth-related planning, and these policies should be examined by the County. Ms. Jansen clarified that youth-related language would be inserted into relevant plan chapters depending on the language. For example, a policy about low-cost bus service for youth would fit into the Circulation Element. Language about parks or sports fields might go into the Public Facilities Element.

Tony St. Amant commented that sustainability and county character need to be fundamental. He supports concise, declarative, or bulleted text, with similar policies grouped. He suggested the CAC turn the format issue back to staff to develop a recommendation to the CAC or Planning Commission. He believes this would achieve a usable product. He commented that he believes a Water Element is imperative, and read several excerpts from the state guidelines on this issue.

Ms. Jansen replied that DC&E strives for concise language in all its projects. Many clients request that the General Plan document include a great deal of data and information. Her firm discourages this, and instead includes background information elsewhere. For Butte County, for example, background information has been compiled in the 1,100 page *Setting and Trends Report*. Specific data can also become dated rapidly, making the plan more difficult to update. Ms. Jansen noted that policies should be clear, in active voice, and not refer actions to another setting.

Sue Seropian requested that references to specific laws be included in the document. Ms. Jansen responded that it is the consultant's responsibility to be aware of and respond to law as the plan is developed.

Dylan Paul stated that he looks at the General Plan from a builder's perspective. It should address what can and should be done so that builders can respond with appropriate projects. He would like terms defined in an appendix in order to better clarify the document's intent.

Todd Hall asked the group and staff to brainstorm issues that would be addressed in a Sustainability Element that wouldn't be addressed elsewhere. He expressed support for a Youth Element. Jeff Carter suggested following Mr. Hall's method for each element,

and suggested that the group decide whether sustainability should be addressed as a separate element or elsewhere.

Marian Gage supported a concise plan addressing sustainability and youth. She suggested including these key words in the outline. Ms. Gage clarified that she is looking for the use of key words to demonstrate the County's values. Ms. Jansen suggested a topic sentence or introduction indicating that sustainability is addressed throughout the document.

Mr. St. Amant commented that it may not be necessary to make explicit statements about sustainability. Steve Rodowick added that sustainability is already a guiding principle. Each policy could address sustainability throughout the document. Ms. Jansen noted that these are examples of why sustainability can be difficult to isolate in one element, although it can be if needed to reflect community needs.

Ken Fleming commented that most people have little idea of the concept of sustainability. He thinks it needs to be included as a separate element so that we can begin to understand it. He also addressed youth development in relation to the Housing Element. He noted that 20 percent of Chico is in the 18-24 age group. The effect of this large group is to push lower income people out of rental housing, to areas outside Chico. He agreed with Ms. Jansen's suggestion that this issue could be addressed in the Housing Element.

Bill Kienzle asked how the decision is made to include or omit an element. Ms. Jansen suggested that the group review the draft outline and provide feedback on how it should be modified for presentation to the Board. Mr. Snellings clarified that this would be done by vote.

Bruce McClintock suggested adding a youth principle to the guiding principles. This would keep the document concise.

Jeff Carter made a motion for a Water Element. 12 CAC members voted in favor, none opposed.

Mr. Carter made a motion for a Sustainability Element. Ms. Jansen asked for clarification. Mr. Carter and Mr. Hall provided thoughts on issues that would be addressed, such as urban boundaries and circulation. Ms. Jansen asked whether a symbol in the text would be sufficient to identify policies that contribute to sustainability. Mr. Rodowick stated that sustainability would underlie the entire plan. Ms. Fisher asserted that sustainability should not be an element, because it is more important than any individual element and confining it to a specific element would diminish its pre-eminence over other aspects of the Plan.

Bill Black asked for clarification regarding General Plan amendments. Ms. Jansen responded that there is a limit to the number of times the mandatory elements of the Plan can be amended annually, but no limit to the number of changes that can be made during any one amendment.

Ms. Jansen called a vote on sustainability as a separate element. 3 CAC members voted in favor, 10 opposed. Mr. Snellings clarified that this is not because the CAC is against

sustainability, but because the intent is to incorporate sustainability throughout the document as the most important principle.

Jeff Carter moved for an Economic Development Element. 10 CAC voted in favor, 3 opposed.

Mr. Carter moved to retain a County Character or Community Design Element. 7 CAC voted in favor, 5 opposed.

Ms. Jansen noted that a Housing Element will be included in the General Plan. Mr. Carter moved to retain the remainder of the outline, with the Housing Element included. Mr. Snellings reminded the group of the idea of including a Scenic Highway Element. Ms. Jansen clarified that there would be no difference in legal force of a Scenic Highway Element vs. scenic highway policies.

Discussion Summary and Next Steps

Ms. Jansen reviewed the changes to the draft outline. She described the action plan, which would be an additional chapter listing implementation actions over the first five years of the plan. She asked the CAC to confirm whether they agreed with the other elements as shown, with the addition of a Housing Element. 13 CAC members voted in favor.

Ms. Jansen returned to the youth development issue, identifying two ideas that had been brought up: addressing youth development throughout the Plan, and identifying youth policies by a symbol. The CAC asked staff to explore the concept of using symbols in the text to refer to guiding principles.

Mr. Hall made a motion to incorporate youth policies throughout, as opposed to a separate element. 10 CAC supported this motion. Ms. Bayles stated that she does not want the importance of youth lost, and wants to integrate city policies on this issue.

Steve Rodowick made a motion to add Health to the name of the Safety Element as a Health and Safety Element. Sue Seropian amended the motion to have the Health and Safety Element incorporate the Noise Element. 11 CAC supported this motion, none opposed.

Mr. St. Amant questioned whether the meeting needed to address grouping elements. Mr. Snellings replied that grouping of elements could be addressed after more of the plan's content is developed through Workshop Series #5.

The final draft, as recommended by the CAC at the meeting, consists of the following sections:

- I. Executive Summary*
- II. Introduction and Overview*
- III. County Character Element*
- IV. Land Use Element*
- V. Water Element*
- VI. Agricultural Element*
- VII. Circulation Element*

- VIII. Housing Element*
- IX. Conservation, Open Space and Recreation Element*
- X. Health & Safety Element (to incorporate the Noise Element)*
- XI. Economic Development Element*
- XII. Public Facilities and Services Element*
- XIII. Action Plan*

Mr. Carter expressed support for the informal seating arrangement in which the public was invited to sit with the CAC at empty seats.

Sue Seropian expressed disappointment at the Planning Commission's consideration of the CAC's work on the land use alternatives. Bill Black concurred, but noted that the CAC acts in an advisory capacity to the Planning Commission and the Board. Mr. Snellings noted that staff provide updates on the General Plan process at every Board meeting, but has provided less information to the Planning Commission. He stated that staff will make more of an effort to keep the Planning Commission updated on the General Plan process. Bruce McClintock added that he would like to see better attendance by the CAC, and noted that tonight's attendance was affected by graduation ceremonies taking place today.

Mr. Snellings thanked participants for their work and closed the meeting.