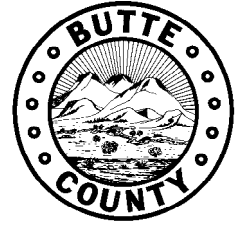


Butte County Department of Development Services

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AGENDA REPORT Butte County General Plan 2030

**Board of Supervisors Study Sessions 1 & 2 (Meetings #5-4A & B)
Meeting Series #5 – Goals and Policy Development**

February 18, 2009

Butte County Board of Supervisors
25 County Center Drive
Oroville, CA 95965

**Subject: Butte County General Plan 2030
Board of Supervisors Study Sessions #1 and #2
Goals and Policy Development (Meeting Series #5)**

RECOMMENDATION:

- I. Butte County Department of Development Services staff recommends that the Board of Supervisors take the following action:
 - A. Direct staff to proceed with the next phases of the Butte County General Plan 2030 process, which is the start of the Housing Element (Meeting Series #6), compilation of the Draft Butte County General Plan 2030 (Meeting Series #7), and the completion of the Zoning Ordinance Update (Meeting Series #8) and the Draft Environmental Impact Report (EIR), using the Goals and Policies and Preferred Land Use Alternative approved by the Board of Supervisors at the February 18 and 19, 2009 Study Sessions, subject to the following actions:

1. Review and consider the recommendations made by the Planning Commission and Citizens Advisory Committee, and all of the information and comment provided by the public, community groups, county departments and other agencies, on Goals and Policy development and the Transportation Alternatives for Butte County General Plan 2030.
2. Review and consider the recommendations of the Fiscal Impact Study, which analyzes the Preferred Land Use Alternative, provides assessment on the overall balance of land uses, and makes recommendations for fiscal sustainability for Butte County General Plan 2030, and provide direction to staff on the policies and programs recommended by the Fiscal Study for ensuring the fiscal sustainability of the County.
3. Hear and accept additional public comment during each Study Session devoted to Goals and Policy Development; and,
4. During the facilitated discussion sessions, provide final direction on all of the goals and policies contained within the Policy Alternatives Document and the Transportation Alternatives; and,
5. Make final adjustments to the Preferred Land Use Alternative as discussed including the development of General Plan Land Use Designations for all county areas as shown in the Revised Preferred Land Use Alternative exhibit maps.

Summary

The Board of Supervisors Study Sessions scheduled for February 18 and 19, 2009 are the final meetings under Meeting Series #5, devoted to Goals and Policy development for the Butte County General Plan 2030 process. Each Study Session is divided into morning and afternoon sessions, which will involve a review and facilitated discussion of 17 Policy Topic areas that are contained in the Policy Alternatives Document as follows:

1. February 18, 2009, 9:00 am to 5:00 pm

Morning Session: (9:00 am to Noon)

- ◆ Economic Development
- ◆ Agriculture

Afternoon Session: (1:00 pm to 5:00pm)

- ◆ Urban Growth Boundaries
- ◆ County Character, New Development & Housing

- ◆ Regional & Local Coordination
- ◆ Community Health & Safety
- ◆ Noise

2. February 19, 2009, 9:00 am to 5:00 pm

Morning Session: (9:00 am to Noon)

- ◆ Cultural Resources & Tribal Coordination
- ◆ Parks & Recreation
- ◆ Trails
- ◆ Natural Resources & Habitat
- ◆ Green Building, Greenhouse Gases & Energy

Afternoon Session: (1:00 pm to 4:30 pm)

- ◆ Water Resources
- ◆ Transportation & Circulation
- ◆ Scenic Highways
- ◆ Utilities & Public Services
- ◆ Airports

***Preferred Land Use Alternative – Final Adjustments
(4:00 pm to 5:30 pm)***

- ◆ Needed refinements to the Preferred Land Use Alternative and countywide Land Use Map will be reviewed and approved by the Board.

Each session will be facilitated by General Plan consultant David Early of Design, Community & Environment. The Agenda will provide time for public input prior to the start of each session. The Board of Supervisors will review the Planning Commission's and Citizens Advisory Committee's recommendations concerning Goals and Policy development and will be asked to provide final direction on each of the 17 specific Policy Topic Areas. The Board of Supervisors will also be asked to make recommendations on the Transportation Alternatives and to make final adjustments to the Preferred Land Use Alternative and Map.

BACKGROUND

Meeting Series #5 Goals and Policy Development

Meeting Series #5 focuses on Goals and Policy Development for Butte County General Plan 2030. The following ten meetings make-up Meeting Series #5:

Goals and Policy Development (Meeting Series #5)		
1.	Public Workshop (5-1)	September 8, 2008
2.	Citizens Advisory Committee Meeting (5-2A)	October 2, 2008
3.	Citizens Advisory Committee Meeting (5-2B)	October 9, 2008
4.	Citizens Advisory Committee Meeting (5-2C)	October 16, 2008
5.	Citizens Advisory Committee Meeting (5-2D)	October 23, 2008
6.	Planning Commission Study Session (5-3A)	November 7, 2008
7.	Planning Commission Study Session (5-3B)	November 14, 2008
8.	Planning Commission Study Session (5-3C)	December 11, 2008
9.	Board of Supervisors Study Session (5-4A)	February 18, 2009
10.	Board of Supervisors Study Session (5-4B)	February 19, 2009

On November 11, 2008 Development Services staff provided Board members with copies of the Planning Commission's Agenda Report ("white binder", 300+ pages, including supplementary information on the Water Commission's Policy Recommendations and other policy related documents) for the Goals and Policy Development phase of Butte County General Plan 2030.

The Planning Commission's Agenda Report supported the November 7, November 14, 2008, and December 11, 2008 Planning Commission Study Sessions and provides all of the background information pertaining to Goals and Policy development up until the Planning Commission's last Study Session.

For a complete chronology and discussion on all of the meetings and background material from the September 8, 2008 Public Workshop through the Planning Commission's December 11, 2008 Study Session (Items 1 – 8 above) the Board of Supervisors is directed to Attachments B and C.

The Agenda Report presented herein contains information generated since the Planning Commission's last Study Session, including all of the recommendations

provided by the Planning Commission and Citizens Advisory Committee. The following additional information, which is organized by attachment, is presented for the Board of Supervisors consideration:

A.1. Revised Policy Alternatives Document

The Policy Alternatives Document is the core work product from the Goals and Policy Development Phase of Butte County General Plan 2030 and incorporates all of the recommendations received from the Board of Supervisors, Planning Commission, Citizens Advisory Committee and public up to and including the Planning Commission's policy recommendations completed on December 11, 2008. The Board of Supervisors approved the original Policy Alternatives Document on November 27, 2007. Since that time, input was received through a Public Workshop, 4 Citizens Advisory Committee Meetings, and 3 Planning Commission Study Sessions. On December 11, 2008 the Planning Commission acted to transmit their recommendations to the Board of Supervisors for final consideration at the Board's Study Sessions on February 18 and 19, 2009.

Two versions of the Policy Alternatives Document are provided. The first version incorporates all of the CAC and Planning Commission recommendations in final form for improved readability. The second version tracks all of the changes made by the CAC and Planning Commission. The Table of Contents provided references sections for each version of the document.

A.2. Voting Summary for the Planning Commission Recommendations

This document describes the specific actions and votes taken by the Planning Commission on changes to the Policy Alternatives Document (see item 1 above). Consensus was reached by the Planning Commission on policy solutions for 39 of the 40 Policy Topic Questions presented in the Policy Alternatives Document. Policy Topic Question #4 concerning the modification of the Chico Area Greenline to include the Bell Muir Study Area resulted in a vote of 4 in support and 1 opposed. The Planning Commission made no further recommendations pertaining to modifications to the Chico Area Greenline.

The Planning Commission supported the CAC's recommendations with no changes on close to half of the 40 Policy Topic Questions. On the remaining half of the questions the Planning Commission generally supported the CAC's original recommendations but also included additional modifications. The following summary provides the main highlights of the Planning Commission's recommendations, for a complete analysis of the Planning Commission's actions Board members are referred to the attached Voting Summary:

- a. Regional and Local Coordination
Regarding Policy Topic Question #8 and #9, the Planning Commission recommends the inclusion of local Native American tribes to those entities the county coordinates with, and to collaborate with tribes on tribal land use plans.

- b. Housing
The Planning Commission recommends that discussion of the Housing Policies discussed in Question #7 be deferred until the Housing Element Meeting Series. The Housing Element Meeting Series will include a public workshop, CAC meeting, and Study Sessions with the Board of Supervisors and Planning Commission.

- c. Agricultural Resources
The Planning Commission made extensive revisions to the Agriculture Policy Topic Questions #10, 11, 13, 14, and 15. In the case of question #13 regarding the conversion of agricultural parcels to non-agricultural uses the Planning Commission provided the following specific direction to the Board of Supervisors in creating agricultural land use designations on the Land Use Element Map: “Increase minimum lot sizes of the agricultural land use designations to reflect viability (e.g., 40 acres for cropland, 160 acres for rangeland).” The Planning Commission also recommended requiring a Conditional Use Permit for residential uses in agricultural zones.

- d. Water Resources
The Planning Commission recommends that the Water Commission’s recommendations regarding Water Resources be forwarded to the Board of Supervisors for consideration, including those CAC recommendations not covered under the Water Commission recommendations.

- e. Economic Development
Both the Planning Commission and the CAC recommends that the policies discussed under this topic be incorporated under a Countywide Economic Development Strategy supporting tourism, local manufacturing, office, and commercial sectors.

- f. Transportation
Regarding Policy Question #25 concerning Bicycle Issues the Planning Commission and the CAC recommends that the General Plan support the countywide Bicycle Master Plan effort currently underway by the Department of Public Works. Regarding Policy Question #26 the Planning Commission recommends the inclusion of the Air Quality policies as contained within the Model General Plan Air Quality Element prepared by the Butte County Air Quality Management District.

With regard to Policy Question 26A concerning Level of Service (LOS) standards the Planning Commission and CAC recommend the use of Level of Service “D” on roadways within the cities’ Spheres of Influence if it would be consistent with the cities’ General Plan LOS policies.

g. Scenic Highways

The Planning Commission supported the CAC recommendations and made no further recommendations to Policy Topic Question #27 concerning Scenic Highways.

h. Utilities and Public Services

With regards to Policy Topic Question #28 the Planning Commission recommended that impact fees be proportionate to the cost of providing infrastructure and not distance alone.

i. Airports

Regarding Policy Question #31 concerning land use conflicts around airports both the Planning Commission and the CAC recommends that the General Plan and Zoning be revised to be consistent with the adopted Airport Land Use Compatibility Plan.

j. Parks, Recreation and Trails

With regard to Policy Topic Question #32 the Planning Commission supported the CAC recommendations but additionally recommended the addition of new policies as suggested by the Paradise Recreation and Park District pertaining to park land agreements, coordination, planning and funding.

k. Natural Resources and Habitat

Regarding Policy Topic Question #34 the Planning Commission supported the CAC recommendation but additionally deleted a policy concerning a mining resource depletion surcharge and adding a policy to consider native tree and plant species when landscaping is required.

l. Greenhouse Gas Reduction

Regarding Policy Question #35 the Planning Commission recommends the inclusion of Air Quality policies as contained within the Model General Plan Air Quality Element prepared by the Butte County Air Quality Management District.

m. Cultural Resources and Tribal Coordination

Regarding Policy Question #37 concerning Native American culture and local historic and cultural resources, the Planning Commission recommends the inclusion of the majority of the recommendations provided by the Mechoopda Tribe and the Butte County Cultural Resources Coalition with minor modifications.

n. Community Health and Safety

The Planning Commission supported the CAC recommendations but additionally added a policy to work collaboratively with the Mosquito Abatement Districts to protect public health.

o. Noise

The Planning Commission supported the CAC recommendations with no modifications.

A.3. Public Input Summary

This document includes a summary of oral public input taken at the three Planning Commission Study Sessions devoted to Goals and Policy development held on November 7, and 14, 2008, and December 11, 2008.

A.4. Transportation Alternatives Handout

This document provides the recommendations from the Planning Commission and Citizens Advisory Committee on 13 specific Road Segments (Itemized A through M) pertaining to Butte County roadway improvements. The Butte County Department of Public Works has provided additional information for each of the road segments described in the handout. The Transportation Alternatives Map Exhibit identifies each of the Road Segments for reference purposes. A Level of Service Policy Memo is provided in the Planning Commission Agenda Report (Attachment K).

A.5. Memo from DC&E on Agriculture Policies

This memo concerns the Agriculture Policy Topics #11 and #13 from the Policy Alternatives Document. In making recommendations for these Policy Topic Questions, the Citizens Advisory Committee drew upon policies from Stanislaus County and the American Farmland Trust, a nonprofit membership organization dedicated to the protection of farmland. The memo provided supplementary information and options regarding these policies for the Planning Commission's consideration. It was used at the November 14, 2008 and December 11, 2008 Planning Commission Study Sessions.

A.6. Fiscal Impact Study

The purpose of this report is to provide a fiscal and economic evaluation of the Preferred Land Use Alternative that is under consideration for Butte County General Plan 2030, and to recommend strategies for fiscal sustainability as the County moves forward with refining the Preferred Land Use Alternative and developing policies and programs for General Plan 2030.

The information provided here consists of a summary of recommendations contained within the section devoted to The Overall Balance of Land Uses for the Preferred Land Use Alternative. The study includes sections devoted to a Fiscal and Economic Evaluation of Land Use Plan by Study Area, and Recommendations for Fiscal Sustainability. For a more complete understanding of the background and recommendations from the Fiscal Study, Board members are referred to the Fiscal Study itself.

This study's main conclusion concerning the overall balance of land uses indicates that the amount of land designated for commercial and residential development in the unincorporated area is significantly greater than the amount of land and development expected to occur within the General Plan time horizon of 20 years. The following highlights findings provided from the Fiscal Study:

- ◆ The Preferred Land Use Alternative (PLUA) would allow about 54,000 new residential units in the Unincorporated Area. This is over five times the growth in housing units that BCAG projects for the Unincorporated Area between 2006 and 2030, and about 120 percent of the growth that BCAG projects for the entire County through 2030.
- ◆ The PLUA allocates land to accommodate potentially as much as 13.5 million square feet of new retail development. This is the equivalent to approximately 100 “big-box” retailers, such as a Costco or a Home Depot, or more than twice as much retail space as would be needed if the PLUA’s residential component built out completely.
- ◆ Of the land allocated to “retail”, the majority is concentrated in the Oroville Area, with approximately half of the total “retail” land located in the Eastern Oroville/Oroville Hills area (Study Area 23), about one fourth located in the Las Plumas/Southside/Ophir Road area (Study Area 26), and another 10 percent of the total in the Pacific Heights Road/SR-70 and Southern Oroville Study Areas combined (Study Areas 27 and 28).
- ◆ With potential for a total of approximately 50,000 new jobs in the Unincorporated Area, the PLUA allocates approximately 28 times the amount of land needed to accommodate the total number of new jobs that BCAG projects for the Unincorporated Area between 2006 and 2030, or about 44 percent more land than is needed to accommodate than the total job growth that BCAG projects for all of Butte County, including the cities, through 2030.
- ◆ In the greater Paradise area (Study Areas 5,7, 10, 11, 12, 13) the PLUA provides for about 1,400 new employed residents, but allocates land for only about 100 new jobs, for a jobs/employed ratio of under 0.1. This means that the PLUA would tend to exacerbate an existing deficit of jobs in the area.

- ◆ In the Oroville area (Study Areas 21, 23, 25, 26, 27, 28), the PLUA allocates enough land to support approximately 33,200 new jobs, but it would also accommodate over 44,000 new employed residents, for a jobs/employed residents ratio of about 0.75. This means that the PLUA would exacerbate the existing deficit of jobs relative to the number of employed residents in the Oroville area.
- ◆ The Oroville area Study Areas (numbers 21, 23, 25, 26, 27 and 28) account for about 66 percent of the PLUA's total commercial land use allocation and new job potential (33,200 new jobs), and 74 percent of the PLUA's new housing unit potential (39,500 units). Study Area 23 (Eastern Oroville, Oroville Hills) and Study Area 26 (Las Plumas/Southside/Ophir Road), are the two Study Areas in the Oroville Area that contribute most significantly to the PLUA's total commercial land use allocation and housing numbers.
- ◆ Based on the BCAG growth rates, the likely buildout period for the non-residential PLUA components would certainly be in excess of 50 years, and full retail buildout in particular is unlikely to ever occur, unless the County's residential population base grows exponentially larger than that allowed by the PLUA.
- ◆ Similar to the non-residential component of the PLUA, the residential components would not likely fully absorb during the 2030 time horizon, and would require a substantially longer period to reach full buildout.

The study indicates that, if the County's goal is to have a PLUA that more closely reflects expected growth, the PLUA should be adjusted significantly to reduce the amount of land designated for development and/or proposed development densities. To better provide for the County's fiscal sustainability, this adjustment could focus land allocated for development in those locations where the County is most likely to realize adequate revenue and achieve service efficiency, as identified by the Fiscal Study.

Should the County choose to leave the PLUA in its current form, the following strategies may help to encourage orderly use of the available land supply and encourage balanced development:

- ◆ Adopt a land use monitoring program for the Unincorporated Area that limits the amount of new residential development that may occur, based on the amount of new jobs that are created. For example, the County might hold residential land in "reserve" until sufficient new jobs are created in the area to allow the residential land to be developed without further degrading the jobs/housing balance for the area.
- ◆ Condition issuance of building permits for major residential developments upon a finding that the surrounding area has, or will

concurrently develop, job-generating land uses sufficient to provide a reasonable jobs/housing balance in the area. This could provide allowances for projects such as senior housing, whose residents do not necessarily require employment opportunities.

- ◆ Adopt an infrastructure development and phasing policy that limits development of new backbone infrastructure in the Unincorporated Area until such time as Specific Plans or other similar plans are developed to demonstrate an integrated approach to developing communities with a reasonable jobs/housing balance.

A.7. Policy Recommendations from Butte County Department Heads

Butte County Departments most closely related to land use policy were asked to provide comment on Goals and Policy development for Butte County General Plan 2030. Responding department included:

- ◆ CAL-FIRE/Butte County Fire Department
- ◆ Public Health
- ◆ Public Works
- ◆ Water & Resource Conservation

The departments were provided with policies from the existing Butte County General Plan and policies currently recommended under the Policy Alternatives document. Their input is provided in the attached information. Staff will incorporate the recommended changes and continue to coordinate with all County departments to help refine all goals, policies and action plans as the Butte County General Plan 2030 process continues.

A.8. Final Adjustments to the Preferred Land Use Alternative Map, Memo from DC&E

Staff and DC&E reviewed the Preferred Land Use Alternative and corresponding Map for organizational structure and clarity. Additionally, all of the non-study area portions of the county were provided a General Plan Land Use designation, which results in a county-wide Preferred Land Use Alternative Map that will form the basis of Butte County General Plan 2030 and the implementation of zoning districts. The following discussion pertains to the attached memo from DC&E.

a. Increased Parcel Sizes in Agricultural/Timber General Plan Designations

Table 1 below shows the recommended minimum parcel sizes for the three agriculturally related General Plan designations. The table shows

the minimum parcel size under the existing General Plan and what is proposed to be a new minimum parcel size under the new Butte County General Plan 2030.

The basis for this recommendation is the Policy Alternatives document, which currently recommends the establishment of a minimum allowable parcel sizes on agriculturally designated lands to limit the expansion of existing, or creation of new rural ranchette areas (Policy Topic #11.o.iv.). The Planning Commission also provided specific recommendation to the Board of Supervisors that the minimum lot sizes in agricultural land use designations be increased to reflect viability (e.g., 40-acres for cropland, 160-acres for rangeland).

This recommendation will result in modifications to the minimum parcel sizes that will be permitted under the future zoning under the new General Plan. However, these changes are consistent with the approach used under the Preferred Land Use Alternative of focusing development into the selected Study Areas.

These increases in minimum parcel sizes will cause a significant change for some areas. For example, in the Bangor/Honcut/Palermo area, there is a significant amount of land that is currently zoned A-5, but will increase to a minimum parcel size of 40 or 160 acres with the OFC and GOL designations.

To provide a sense of the scale of this change, the number of new parcels that could be created Countywide under the current A-5 and A-10 zoning is compared to the allowed number of new parcels under the updated OFC and GOL designations below:

- ◆ Up to 14,900 new parcels would be allowed Countywide in areas currently zoned A-5. The updated General Plan land use map allows approximately 700 new parcels in that same A-5 area.
- ◆ Up to 1,200 new parcels would be allowed Countywide in areas currently zoned A-10. The updated General Plan land use map allows approximately 150 new parcels in that same A-10 area.

Although the proposed increase in parcel sizes in the Orchard & Field Crops General plan designation from 5 to 40 acre parcels is a substantial change, policies contained within the current Agriculture Element greatly discourage land divisions or zone changes at a 5 and 10 acre parcel size and makes approval of such proposals very difficult

if not impossible. Even though the current Agriculture Element policy allows the A-5 and A-10 zoning districts that are located in the Orchard and Field Crops designation, other policies and programs such as the Agricultural Buffer (Program 2.2.) greatly limits the ability to create parcels at this density.

While the change in minimum parcel sizes for these designations is recommended by the Planning Commission, this policy change must be approved by the Board of Supervisors.

General Plan Designation	Previous Minimum Parcel Size	New Minimum Parcel Size
Orchard & Field Crops	5-acres	40-acres
Grazing and Open Land	40-acres	160-acres
Timber Mountain	40-acres	160-acres

Table 1

b. Discontinuation of Agriculture Residential General Plan Designation

The Agriculture Residential General Plan Designation is proposed to be discontinued based upon input received through the Butte County General Plan 2030 process. This designation currently encompasses a wide range of densities from 1-40 acres, and allows both Agriculture and Residential uses which can be inherently incompatible. The designation will be divided up into agriculture, timber or residential designations.

c. Discontinuation of Low Density Residential General Plan Designations

The existing Low Density Residential General Plan designation is proposed to be discontinued due to the wide range of residential densities allowed. The LDR designation will therefore be broken down into four separate designations that will encompass various residential densities.

d. Research & Business Park General Plan Designation

In an effort to spurn economic development and growth within Butte County the Research & Business Park (RBP) General Plan designation and zoning code was approved on January 11, 2000. This effort also included a feasibility study to determine potential site locations for research and business parks within the county. While the zoning ordinance was amended to include a Research & Business Park Zone,

the County's action did not initiate a change to the zoning of any land within the County. In the nine years since the approval of this designation it has not been applied for by any landowner. More recently, the Preferred Land Use Alternative chosen by the Board of Supervisors on July 30, 2008 did not implement the Research & Business Park designation or zone. Since this designation and zone is currently not implemented, or proposed to be implemented, within Butte County, staff recommends that the Board discontinue this designation and zone pending further discussions of a countywide economic development strategy by the Board of Supervisors, as discussed in Policy Topic Question #21 from the Policy Alternatives Document.

e. New Deer Herd Overlay

As part of the update to the technical information needed for Butte County General Plan 2030, an update to the previous deer herd mapping was undertaken, in order to develop more refined and accurate information for assessing where development may or may not interfere with important deer habitat. The deer herd study and mapping will be used to implement minimum parcel sizes in the 20-acre Winter and 40-acre Critical Winter Deer Ranges through the General Plan and Zoning Ordinance. The *Technical Study and GIS Model for Land Use within the Migratory Deer Range* was prepared by Gallaway Consulting, Inc. in coordination with the Department of Fish and Game to address migratory deer herd ranges in Butte County.

The Butte County Board of Supervisors and the Butte County Planning Commission held a joint meeting focusing on the Butte County Migratory Deer Range Technical Study and GIS modeling effort on July 22, 2008 at the Southside Community Center in Oroville. Henry Lomeli, Associate Biologist with the California Department of Fish and Game; and Kevin Sevier, Project Manager with Gallaway Consulting, presented the deer herd information.

In many cases, the existing 20-acre or 40-acre minimum parcel sizes imposed by the deer herd maps are inconsistent with the minimum parcel size identified in the current Butte County Zoning Ordinance. This long-standing problem has led to confusion by many county landowners, realtors, buyers, and developers, who rely upon the minimum parcel size shown by zoning to indicate the minimum parcel size on individual properties. With the coordinated approach of updating the deer range maps in the Butte County General Plan 2030 process, and implementing a new zoning ordinance, the inconsistency between zoning and the deer range maps can be eliminated.

Policy Topic Question #34 from the Policy Alternatives Document provides some options for the protection of habitat and deer migration routes.

The more traditional approach to deer range protection which is currently used would require 20-acre minimum parcel sizes in designated winter range, and 40-acre minimum parcel sizes in designated critical winter range. The traditional approach encourages a more piecemeal development pattern in the deer range, which could have the effect of leaving less land dedicated exclusively for deer range and migration. This is because residential development and associated environmental impacts are more widely scattered throughout the deer range.

As an alternative to the traditional approach discussed above, the Board may wish to consider using more flexible standards in allowing for development in the deer ranges. This approach is recommended under the Policy Topic #34 from the Policy Alternatives Document. Under this approach, an overlay would be implemented over existing zoning within the deer ranges. Allowed density would be set by the base zoning district. The deer herd overlay zone would require the clustering of residential development so that the majority of the deer range would remain intact for use as habitat and migration. The deer herd overlay zone would include additional provisions concerning density, conservation practices, open space, and development conditions that would be developed as part of the zoning ordinance update.

In either approach discussed above, staff would provide further program development during the Draft General Plan and Zoning Ordinance phases of the Butte County General Plan 2030 process.

f. Airport Land Use Compatibility

Policy Topic Question #31 from the Policy Alternatives Document pertains to airports and surrounding land uses. Both the CAC and the Planning Commission have recommended that the Butte County General Plan 2030 designations and zoning districts that are located within airport compatibility areas be revised to be consistent with the adopted Airport Land Use Compatibility Plan.

The following information is provided from the California State Airport Land Use Planning Handbook to provide background on the issue of Airport Land Use Compatibility and General Plan processes:

When making land use decisions, it is important that the type and density of land use and its cumulative impacts are given careful consideration so that appropriate decisions are made for the airport, its context, and its environment. Acknowledging this need, in 1967 the California State Legislature authorized the creation of Airport Land Use Commissions (ALUC), to protect the “public health, safety, and welfare by encouraging orderly expansion of airports and the adoption of land use measures that minimizes exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses.” The law requires each County’s ALUC (or alternative process) to prepare an Airport Land Use Compatibility Plan (ALUCP) with a twenty-year planning horizon. The primary focus of an ALUCP is on broadly defined noise and safety impacts. In addition, ALUCs make compatibility determinations for compliance of all proposed development around an airport. A local government body may override an ALUC compatibility determination for any proposed incompatible land use by a two-thirds majority vote; however, they must notify the Division of Aeronautics and the ALUC of this intent 45 days prior to approving the override.

An Airport Land Use Compatibility Plan provides for the orderly growth of an airport and the area surrounding the airport within the jurisdiction of the ALUCs, excluding existing land uses. Its primary function is to safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general.

Cities and/or counties have a responsibility to ensure the orderly development of the airports within their local jurisdiction and make sure all applicable planning documents and building regulations are consistent with the ALUCP. They also have the final decision on local land use issues and have the ability to overrule ALUC determinations, with conditions.

Butte County’s Airport Land Use Compatibility Plan was adopted by ALUC on December 20, 2000. Its basic function is to promote compatibility between the airports in Butte County and the land uses which surrounds them. As adopted by the Butte County ALUC, the plan serves as a tool for use by ALUC in fulfilling its duty to review

airport and adjacent land use development proposals. Additionally, the plan sets compatibility criteria applicable to local agencies in their preparation or amendment of land use plans, including General Plans, and to landowners in their design of new development.

Land uses surrounding the 4 local airports located in Butte County (Oroville Municipal, Chico Municipal, Paradise Skypark, and Ranchoero Airports) located within Butte County are regulated by the General Plan and Zoning Ordinance. Currently, some of the land uses surrounding each of these airports are inconsistent with the Butte County ALUCP.

It is important to note that the current Butte County General Plan and zoning has not been amended to be consistent with the Butte County ALUCP since its approval in 2000. In some cases the Board of Supervisors has exercised the right to override compatibility determinations on various development projects in these areas. The recommendation by the CAC and Planning Commission to revise the General Plan to be consistent with the Butte County ALUCP is a policy decision that must be approved by the Board of Supervisors. Should the Board approve this recommendation all Butte County General Plan 2030 designations and zoning districts located within airport land use compatibility zones would be made consistent with the ALUCP.

g. New General Plan Designations

Several new designations are recommended for inclusion within Butte County General Plan 2030. These designations are described in the following:

Retail/Office: This designation provides for structures and activities providing a full range of merchandise and services to the general public, as well as professional/office uses.

Mixed Use: This designation provides a variety of different but compatible uses in close proximity to each other, including residential, commercial and office uses.

Recreation Commercial: This designation encompasses recreation and tourism-related uses, such as golf courses, eating and drinking establishments, hotels/motels, amphitheaters, gasoline service stations, offices, RV parks. All of these uses would be subject to securing a conditional use permit.

Agricultural Services: This designation provides for agriculturally-related services that are complimentary and in support of existing agricultural activity and businesses.

Resource Conservation: This designation applies to natural, wilderness and study areas with limited recreational and commercial uses. Residential uses would be limited to one single family dwelling per legal parcel at a 40-acre minimum parcel size. Parcels smaller than 1-acre would be required to merge into a 40-acre parcel, or buy development rights in order to develop a single family dwelling.

A.9. Policy Recommendations from the Butte County Fire Safe Council

On December 3, 2008 the Butte County Fire Safe Council held the Second Annual Wildfire Safety Summit/Butte County General Plan 2030 – “*Applying Lessons Learned*”, at the Cozy Diner in Paradise. This meeting provided an opportunity to hear from each of the local Fire Safe Councils including Feather Falls, Oroville Foothills, Palermo, Berry Creek, Yankee Hill, Paradise, Magalia, Forest Ranch, Butte Meadows, and Cohasset. For purposes of developing additional goals and policy for Butte County General Plan 2030, those present were divided into working groups who made comments regarding fire safe goals and policies to be incorporated into Butte County General Plan 2030. These comments were later assembled into policy recommendations by the Butte County Fire Safe Council. The policy recommendations are provided in their entirety in the attached document.

A.10. Comments from the Butte County Cultural Resources Coalition and the Mechoopda Indian Tribe of Chico Rancheria

The Butte County Cultural Resource Coalition, a private group of local cultural and historic resource experts which includes a representative of the Mechoopda Tribe, met with Butte County General Plan staff on October 28, 2008 to discuss the Cultural Resources & Tribal Coordination Topics from the Policy Alternatives Document. The group made a number of substantive recommendations concerning this policy area. The designated representative of the Mechoopda Tribe met again with staff on November 4, 2008 to provide additional consultation input from the Tribe regarding Cultural Resources and Tribal Coordination. Information from both meetings was provided to the Planning Commission for their consideration. The Planning Commission included a majority of these recommendations in the Policy Alternatives Document. The Butte County Cultural Resources Coalition has provided additional information for the Board’s consideration in the attached document, which the group has indicated will be referenced in their public comments to the Board of Supervisors.

A.11. Additional Public Comments Received

This section includes additional public comment that has been received by staff since the December 11, 2008 Planning Commission Study Session. This section also includes comments from Butte County CAC member Ed Miller.

Other requests from the public have been made for changes to specific General Plan designations and zones. Staff will provide further analysis of these requests during the Draft General Plan and Zoning Ordinance Update phases of the Butte County General Plan 2030 process.

NEXT STEPS

With the approval and completion of the Goals and Policy Development Phase of the Butte County General Plan 2030 process, staff will be able to proceed with the Draft Butte County General Plan 2030 phase of the General Plan (Meeting Series #7).

Over the next several months, Development Services staff will be working closely with General Plan consultant DC&E in developing the Draft General Plan. This document will be available for public review in summer 2009. This document will include an overall vision statement, goals, quantifiable objectives, policies and implementing actions, as well as an Action Plan that will help set the course for plan implementation after its adoption. The format of the Draft Butte County General Plan 2030 will include all of the mandatory and optional elements and follow the organization and format approved by the Board of Supervisors. The Draft General Plan will be detailed, clearly written, richly illustrated, and cross-referenced to provide ease of use.

The Meeting Series devoted to reviewing the Draft General Plan will include a public workshop and meetings with the Citizens Advisory Committee, as well as Study Sessions with the Planning Commission and Board of Supervisors.

Other major tasks concerning the Butte County General Plan 2030 process have already begun, including work on the Housing Element (Meeting Series #6), Zoning Ordinance Update (Meeting Series #8), and the completion of the Environmental Impact Report.

Detailed information concerning these tasks and meeting times will be provided in the form of Board Updates, outreach through the media and emails, and posted to the Butte County General Plan 2030 website (www.buttegeneralplan.net) as it becomes available.

Should you have any questions regarding any of the information provided within this Agenda Report, please do not hesitate to contact me at 538-6821 or Principal Planner Dan Breedon at 530-538-7629.

Sincerely,

Tim Snellings, Director,
Butte County Department of Development Services