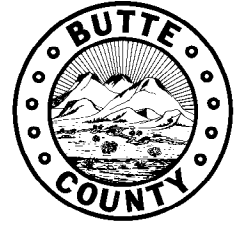


# *Butte County Department of Development Services*

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## **AGENDA REPORT Butte County General Plan 2030 Special Meeting on the Final Countywide Land Use Map**

April 14, 2009

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

**Subject: Butte County General Plan 2030  
Special Meeting on the Final Countywide Land Use Map**

### **RECOMMENDATION:**

- I. Butte County Department of Development Services staff recommends that the Board of Supervisor take the following action:
  - A. Approve the Butte County General Plan 2030 Countywide Land Use Map with the final corrections as provided by staff and direct staff to proceed with the writing of an Environmental Impact Report (EIR) for Butte County General Plan 2030 and Draft Zoning Ordinance.

### **BACKGROUND**

At the February 19, 2009 Special Study Session, the Board of Supervisors reviewed and approved Draft #1 of the Countywide Land Use Map. This map comprises all of the 31 Study Areas as well as all parts of the County located outside of these Study Areas. The Board additionally provided direction to amend the map in several specific areas. These specific areas included:

- Accepted the Unique Agriculture Overlay and Rural Residential Designation for Study Area #23, and amending that area lying north of the Unique Agriculture Overlay to a Medium Density Residential designation.
- Change the designation for both the Tuscan Ridge Development (Study Area #10 and the Paradise Summit development (Study Area #13) from Specific Plan to Planned Unit Development.
- Apply a 2,000 foot buffer to the Neal Road Landfill (this has been designated as part of the Solid Waste Management Facility Overlay on the Countywide Land Use Map).

These adjustments have been incorporated into the current Draft #2 of the Countywide Land Use Map (Attachment D).

Staff additionally apprised the Board that additional corrections and refinements to Draft #1 of the Countywide Map would be brought forward for consideration at this Special Meeting. As part of this process, the Department of Development Services conducted a review of Draft #1 of the Butte County General Plan 2030 Countywide Land Use Map.

All of the new Butte County General Plan 2030 designations were re-reviewed by staff, particularly those new designations that were replacing the current Butte County General Plan's extensive "Agricultural Residential" General Plan designation. This designation covers areas in many different parts of the County. As part of the guidance provided by the Board of Supervisors, the Agricultural Residential designation has been replaced with either an Agriculture or Residential designation. Staff reviewed these areas to ensure that the new designations accurately reflected an area's land use; staff drew upon the location of existing communities, the Deer Range Mapping, existing zoning, and overall policy guidance provided by the Board. Williamson Act Contracts were also used to determine which areas should be designated agricultural.

The updated Deer Range Mapping was used to ensure that General Plan designations would accurately reflect the deer range, as well as those areas that are within the deer range but designated for development (Designated Development Zones). These areas primarily correspond to developed communities such as Forest Ranch, Cohasset, Berry Creek, Forbestown and similar communities located throughout the deer range. The Deer Range mapping is discussed in more detail below.

The Revised Draft #2 of the Countywide Land Use Map additionally includes 29 Agricultural Re-Use sites to be designated "Agricultural Services" under Butte County General Plan 2030. The Agricultural Re-Use sites and the use of the "Agriculture Services" designation is discussed in more detail below.

The recommendations from staff are provided in an attached table (Attachment A). The Requests from property owners are also provided in an attached table (Attachment B) including each written request received. The recommendations that are supported by staff may be viewed on the attached large paper exhibit (Attachment C) of the Countywide Land Use Map Draft #2. The locations shown on this exhibit are matched to the Item number on each table. Additional exhibit maps of the Countywide Land Use Map are provided under Attachment D. These include more detailed mapping of the Biggs/Gridley, Chico, Oroville and Paradise areas, as well as the Deer Range. A CD has been provided with this packet that includes all of these exhibits as “PDF” files. Staff recommends that Board members who wish to review areas in more detail use the exhibits on the attached CD as they will allow you to zoom-in on specific areas of interest and to see details more clearly.

Most of these corrections and recommendations are minor in scope. The following sections provide a summary of the more significant corrections to the Draft Butte County General Plan 2030 Countywide Land Use Map as recommended by staff. These have been incorporated into the attached maps (Attachment D). Additionally, a summary of the property owner requests that are not supported by staff is provided. Further questions regarding any of these areas will be addressed by staff at the Special Meeting.

### **Recommendations from Development Services Staff**

#### Butte Meadows Area (Map/Table Item #6)

On Draft #1 of the map, the Butte Meadows Area was entirely designated Timber Mountain. Because there are a number of existing residential subdivisions as well as commercial and public uses, the map has been revised to reflect the appropriate designations. The Jonesville area also received a new designation of “Recreation Commercial” which more closely matches the existing seasonal cabin/resort use.

#### Recreation Overlay on Pacific Heights Road (Map/Table Item #7)

This is an area that is located between State Route 70, Pacific Heights Road and the Feather River. Under the existing Butte County Zoning Ordinance this area was treated as a Recreation Overlay. Under the new Butte County General Plan 2030 it will receive a “Recreation Commercial” designation. The map is being updated to designate all of the parcels currently located within the Recreation Overlay zone as “Recreation Commercial”. This correction was discussed with the majority landowner for this area. This landowner agreed to the new “Recreation Commercial” designation.

#### M-R (Mountain or Recreation Subdivision Residential) Zone (Map/Table Item #8)

This zoning district is located in the east Oroville Hills. It is mostly designated “Agriculture Residential” by the existing General Plan. In reviewing the

“Agriculture Residential” designation it was apparent that the M-R zone occupied areas developed for residential uses and other areas that were left as grazing land. A majority of this zone is also located in the deer range. Draft #1 of the map designated this entire area as “Rural Residential”. The revised map corrects this area by designating those areas that are located in the Deer Range as Grazing and Open Land and those areas not located within the deer range (approximately one-third of the total) as “Foothill Area Residential”.

#### Chico Canyon/Centennial Area (Map/Table Item #14)

This is an area located in east Chico that is a pocket of unincorporated county land surrounded by the City of Chico. This area was reviewed for an alternative designation because the existing General Plan designation is “Agricultural Residential”. Draft #1 of the Countywide map designated this area as “Medium Density Residential”. Because this area developed with larger residential parcels and is not currently provided with sewer service, staff is recommending that the designation be corrected to Very Low Density Residential, instead of “Medium Density Residential”. This would be consistent with the designation of other similar areas located along El Monte Road and Stilson Canyon Road. This is also consistent with the City of Chico’s rezoning for this area.

#### Cohasset Road/Indian Cliffs Road (Map/Table Item #16)

This is an area located northeast of Chico adjacent to Cohasset and Indian Cliffs Roads. This area was reviewed for an alternative designation because the existing General Plan designation is “Agricultural Residential”. Draft #1 of the Countywide Map provides two designations for the area: “Rural Residential” and “Foothill Area Residential”. The two designations were not consistently applied to the area. Staff is recommending that the area currently designated “Rural Residential” be redesignated as “Foothill Area Residential”.

#### North Chico Specific Plan Corrections (Map/Table Item #15)

Draft #1 of the Land Use Map had incorrect designations in the village core area. These were corrected to match the North Chico Specific Plan. Other corrections were also made to reflect designations in the Sierra Moon residential development.

#### West Magalia Area (Map/Table Item #29)

Draft #1 of the Land Use Map had designated parcels along the western extent of Magalia as Very Low Density Residential. This area is designated “Agriculture Residential” under the existing General Plan, therefore it was reviewed for an alternative designation. This area has been corrected to reflect a “Rural Residential” designation, which is consistent with the Board’s direction for the Magalia area.

#### Deer Range and Designated Development Zones (DDZs) (Table Item #31)

As part of the update to the technical information needed for Butte County General Plan 2030, an update to the previous 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 *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. This information was reviewed during a Joint Special Meeting between the Board of Supervisors and Planning Commission on July 22, 2008,

In many cases, the 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 General Plan and Zoning Ordinance. The overall direction provided by the Board under Butte County General Plan 2030 is to ensure that General Plan designations and zones are consistent with the deer herd mapping.

Staff reviewed many different areas within the deer range to ensure that the designations proposed under the new Countywide Land Use Map #2 was consistent with the deer herd mapping (refer to Attachment D). Under the previous deer range mapping effort, a number of Designated Development Zones (DDZs) were identified within the deer range. These areas were identified as being acceptable for development even though they were located within the deer range. Areas designated in this manner included existing communities where development activity had already substantially reduced the use of the deer range.

Development Services staff re-reviewed the DDZs for the communities of Cohasset, Forest Ranch, Concow, Yankee Hill, Berry Creek, Feather Falls, Forbestown, Cherokee, and Bangor. As a result of this review, the DDZs for these areas have been implemented under Draft #2 of the Countywide Land Use Map. For this reason, designations in a number of these communities have been changed from either "Timber Mountain" or "Grazing and Open Land" to either "Foothill Area Residential" or "Rural Residential" in most cases. These new designations are appropriate because they recognize the development that has already taken place in these communities, which is not suitable as deer range.

#### Agriculture Re-Use Sites (Table Item #30)

Pursuant to direction from the Board of Supervisors, the County is proposing an interim revision to Chapter 24 of the Butte County Code during preparation of Butte County General Plan 2030. The proposed amendment consists of an *Agricultural Re-Use Ordinance* allowing the re-use of certain agricultural properties and facilities for an expanded set of commercial and industrial uses directly supporting local agriculture. The proposed ordinance would apply only to sites listed on an *Agricultural Re-Use Site Inventory*. It would require that sites included in the inventory be designated for agricultural use, but be unsuitable for agricultural production due to the existence of built facilities, paving, or other issues.

Development Services staff is tentatively planning to bring the proposed

ordinance and site inventory to the Planning Commission in May and to the Board in June. An administrative draft of the ordinance is complete at this time.

Staff is recommending that the 29 currently identified sites be incorporated into the Countywide Land Use Map and that each receive a designation of "Agriculture Services". Development Services staff will coordinate both the Butte County General Plan 2030 process and the proposed Agricultural Re-Use Ordinance. Further coordination will take place during the Zoning Ordinance Update, to ensure that the zone developed for Agriculture Services accurately reflects the requirements of the Agriculture Re-Use Ordinance.

### **Requests from Property Owners**

The requests from property owners were reviewed by staff and in some instances, the requests were found to be appropriate as they pointed out instances of dual designations or designations that were in error or that could be improved. Other more substantial requests made by property owners are not recommended by staff but are provided to the Board for review. These are not recommended for approval due to being contrary to previous Board action on the approved Preferred Land Use Alternative. The following provides a summary of those items that are not recommended by staff:

#### Request for 5-acre density near Bangor (Table Item #7)

This property is located approximately 3 miles northeast of Bangor. The property owner requests the ability to create a 5-acre parcel in an area designated "Grazing and Open Land" (160 acre minimum parcel sizes). This request was reviewed against the new Deer Range Mapping, the Designated Development Zones, and the Board of Supervisors direction for the Bangor area. Since this parcel is located within 40-acre critical winter range, and is not located within a DDZ, staff does not recommend this request for approval. Additionally, the Board provided direction under the Preferred Land Use Alternative which stated that the majority of this area would remain in agriculture.

#### Request for Commercial Designation in North Chico Specific Plan (Table Item #8)

This 8-acre property is located between SR-99 and Garner Lane in the North Chico Specific Plan area. The property is currently designated M-1 pursuant to the North Chico Specific Plan and the Preferred Land Use Alternative approved by the Board. The landowner's representative requests that the property be designated for commercial uses (Retail/Office under the new General Plan designations). Since this property is located within the North Chico Specific Plan, this request is not recommended for approval. The North Chico Specific Plan was approved as part of the Board's Preferred Land Use Alternative. The Board instructed that this area continue as currently designated under the North Chico Specific Plan.

Request for Butte Valley Commercial Designation (Table Item #9)

This property is located in Butte Valley near Butte College on the southeast corner of Clark Road and Durham-Pentz Road. A gas station and convenience store (Butte Country Store) is located adjacent to the property. The landowner requests an additional 10-acres of commercial zoning (Retail/Office under the new General Plan designation) at this location. This area was reviewed under the Preferred Land Use Alternative as a Study Area. Under the Preferred Land Use Alternative, the Board of Supervisors directed the creation of 5-acres of additional Retail/Office use on the northeast corner of this intersection, but directed that the majority of the Study Area remain in agriculture. Since the Board already reviewed and approved designations for this Study Area, staff does not recommend that this request be approved.

**NEXT STEPS**

The finalization of the Countywide Land Use Map will allow Development Services staff and the General Plan consultant DC&E to begin work on the Program Draft Environmental Impact Report (EIR) for Butte County General Plan 2030. This direction will also allow for the implementation of Zoning Districts throughout the county under the new Butte County General Plan 2030 and Updated Zoning Ordinance.

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