



ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

*AS*



CYNTHIA BRYANT  
DIRECTOR

April 20, 2009

**BUTTE  
COUNTY**  
**APR 21 2009**  
**DEVELOPMENT  
SERVICES**

Mr. Tim Snellings  
Director  
County of Butte  
Department of Development Services  
7 County Center Drive  
Oroville, CA 95965

Dear Mr. Snellings:

The Governor's Office of Planning and Research (OPR) is required to notify cities and counties with general plans that have not been revised in eight (8) years (Government Code section 65040.5(a)). Our records indicate that Butte County's General Plan has not been revised in the past 8 years or longer.

For purposes of this notification, a revision is considered to be a comprehensive update of at least five (5) of the seven (7) mandatory general plan elements, which have been adopted by the local legislative body. According to our records, the mandatory elements of the General Plan for the County of Butte were last updated during the years noted.

Land Use:	1979
Circulation:	1988
Housing:	2004
Conservation:	1971
Open Space:	1976
Safety:	1977
Noise:	1977

**If this information is incorrect**, please contact Jennifer Driemeyer at the OPR State Clearinghouse via email [jennifer.driemeyer@opr.ca.gov](mailto:jennifer.driemeyer@opr.ca.gov) or phone (916) 445-0613 so that we may update our records.

To identify jurisdictions with general plans that have not been revised in eight (8) years, OPR surveyed local government planning agencies in 2008 for current information regarding their general plans. In addition, OPR reviewed General Plan Annual Progress Reports, public notices from the jurisdictions, environmental document filings, as well as some jurisdictions' websites.

General plans that have not been revised within the past 8-years are not necessarily legally inadequate. However, the California Supreme Court has stated that local governments have an implied duty to keep their general plans current (*DeVita v. County of Napa*, 9 Cal. 4<sup>th</sup> 763 (1995)). Additionally, local governments must review and revise their general plans as often as they deem necessary or appropriate (Government Code section 65103(a)). The general plan statutes do not provide a mandatory minimum time frame for revision of elements, except for housing elements, which must be revised based on the schedule established in Government Code Section 65588. In addition, Government Code sections 65302

and 65302.1 require certain information be included in general plan elements at the time a jurisdiction next revises its housing element.

OPR is also required to report to the Attorney General, cities and counties with general plans that have not been revised in ten (10) years (Government Code section 65040.5(b)). We will report your jurisdiction to the Attorney General only if your general plan becomes 10-years-old. If our records indicate that your general plan has not been revised in ten (10) years, we will report this information to the Attorney General in early June 2009.

**If you would like to make corrections to our records, please respond by May 29, 2009.** This will allow us to update our records prior to notifying the Attorney General of general plans that have not been revised in ten (10) years. If you have any questions or require additional information, please contact Jennifer Driemeyer at [jennifer.driemeyer@opr.ca.gov](mailto:jennifer.driemeyer@opr.ca.gov) or by phone at (916) 445-0613.

Sincerely,



Cynthia Bryant  
Director