



TO: Butte County Board of Supervisors

FROM: Tim Snellings, Development Services Director

SUBJECT: October 13, 2009 Progress Report #63 on Butte County General Plan 2030

This memo is the 63rd in a series of updates provided to the Board of Supervisors at the beginning of each meeting to assist Board members in staying apprised of the progress on the Butte County General Plan 2030 process. I have the following developments to report:

1. Scheduling Update: New Butte County Zoning Ordinance

As the Board of Supervisors is aware, the Butte County General Plan 2030 project includes the completion of a new Zoning Ordinance for Butte County. Development Services staff has reviewed the remainder of the Butte County General Plan 2030 process very carefully with project consultant DC&E. Due to the technical nature of the Zoning Ordinance, staff believes that it will take additional time to properly review. Staff had originally proposed the review of the Zoning Ordinance (Meeting Series #8) to start with a Public Workshop in December of this year. However, staff work on the administrative draft has taken longer than anticipated, due to the overall complexity of this major task. Staff also believes that additional meetings with the Planning Commission will be necessary to make all the needed adjustments before the Board of Supervisors considers final adoption. For these reasons, a new schedule has been developed which has the Zoning Ordinance Meeting Series beginning with a Public Workshop in March 2010, with a meeting before the Citizens Advisory Committee happening in April 2010, and a number of hearings before the Planning Commission from June through October 2010. Due to these changes, it is expected that the Zoning Ordinance will ultimately be reviewed and adopted by the Board of Supervisors in January 2011.

2. Demonstration: Butte County General Plan 2030 Land Use Designation Parcel Look-Up

The Butte County General Plan 2030 process includes the implementation of a Land Use Map, which provides designations for all of the unincorporated portions of Butte County. These land use designations are very important as they identify the land uses and development intensities for all future development within Butte County.

In order to provide the public with a way to identify land use designations that are applicable to specific parcels, Development Services staff has worked to develop a parcel look-up feature that will provide future Butte County General Plan 2030 designation for a given property or properties using an assessor parcel number or address.

This system works in the same way that our current Parcel Look-Up feature works for identifying existing General Plan land use designations and zoning. However, this Look-Up will show the proposed new Butte County General Plan 2030 designation, in addition to the existing General Plan designation. Members of the public are encouraged to look for this new feature at www.buttegeneralplan.net

This same approach will be taken when the new Zoning Ordinance is developed and released for public review during Meeting Series #8. The Zoning Ordinance will include a Zoning Map for the entire unincorporated portion of Butte County. Members of the public will be able to look-up the specific future zoning applicable to their property or any region of the County.

Since zoning districts are implemented by the General Plan, the zoning will closely follow the General Plan designations shown on the General Plan 2030 Land Use Map. The difference will be in terms of specifics; the General Plan may identify an area as FR (Foothill Residential) but the zoning map will provide more detail, such as FR-40, which indicates that the parcel is located in a Foothill Residential zone, with a 40-acre minimum parcel size limitation.

3. September 17, 2009 Public Workshops on Draft Butte County General Plan 2030

The Summary Notes for the Public Workshop held on September 17, 2009 are attached for the Board's reference. These notes represent the public input received during the Public Workshop, which was devoted to presenting information to the general public on the Draft Butte County General Plan 2030 document and receiving public input. These notes have been provided to members of the Butte County General Plan 2030 Citizens Advisory Committee for use during their upcoming meetings devoted to the Butte County General Plan 2030 document.

4. Airport Land Use Commission Meeting – October 21, 2009

On October 21, 2009 Development Services staff will provide a presentation to the Airport Land Use Commission (ALUC), on the Butte County General Plan 2030 process. The meeting will be held at the Board Chambers, 25 County Center Drive, Oroville at 9:00 am. Staff will discuss land use designations and policy near local airports under the Butte County General Plan 2030, and where inconsistencies exist with policy contained within the Butte County Airport Land Use Compatibility Plan administered by ALUC.

5. Reminder: Upcoming Citizens Advisory Committee Meetings

The Butte County General Plan 2030 Citizens Advisory Committee will be meeting three times in the coming weeks to the review of the Draft Butte County General Plan 2030 (Meeting Series #7). All three meetings will take place from 5:00 pm to 9:00 pm at the Butte

College Main Campus Cafeteria, 3536 Butte Campus Drive, Oroville. Each meeting will be devoted to separate sections of the Draft General Plan 2030 document as follows (see also attached agendas):

October 22, 2009

- ◆ Introductory Chapters and Glossary
- ◆ Land Use Element and Land Use Map
- ◆ Circulation Element

October 29, 2009

- ◆ Agriculture Element
- ◆ Water Resources Element
- ◆ Conservation and Open Space Element

November 5, 2009

- ◆ Economic Development Element
- ◆ Health and Safety Element (Including the Noise Element)
- ◆ Public Facilities and Services Element

There will be time on each meeting's agenda to review public input received at the Public Workshop, as well as to receive public comment. The majority of each evening will be devoted to the Citizens Advisory Committee's recommendations on the Draft General Plan 2030 document's Elements and Chapters. The Citizens Advisory Committee's recommendations will be provided to the Board of Supervisors and Planning Commission for their consideration at the Special Study Sessions scheduled for Tuesday, January 19 and Thursday, January 21, 2010.

**Butte County General Plan 2030
Public Workshop
September 17, 2009
Oroville, CA
Draft General Plan (Meeting Series #7-1)
Meeting Summary**

This is a summary of the public workshop held on September 17, 2009 at the Energy Farm in Oroville. The workshop included a presentation by Design, Community & Environment, the County's General Plan 2030 lead consultant, followed by a large group discussion about the Public Review Draft General Plan 2030. About 55 members of the public attended the workshop, including nine members of the Citizens Advisory Committee. This summary is organized according to the workshop agenda.

1. **Welcome and Introductions** – Tim Snellings, Director, Development Services, welcomed the group.
2. **Overview of General Plan 2030 Process** – Joanna Jansen from Design Community & Environment provided a brief overview of the process through which the Draft General Plan 2030 was developed.
3. **Overview of General Plan 2030** – Tanya Sundberg from Design, Community & Environment provided an overview of the Public Review Draft General Plan 2030, including a summary of the goals included in each element, and highlighting new policies and actions.
4. **Questions and Answers** –Design, Community & Environment and Butte County Development Services staff responded to questions about the Draft General Plan 2030.
5. **Public Comment Period: Input on the Draft General Plan 2030** – Workshop participants provided the following input on the Public Review Draft General Plan 2030:

Land Use Element

- ◆ The Concow community should not be designated for Resource Conservation on the land use map. Some participants advocated for designating the community for a future area plan, similar to what was done for the Berry Creek community. Participants felt that more development should be allowed in the Concow area than would be allowed by the Resource Conservation designation.

A specific suggestion was made to allow 20-acre lot sizes in the areas outside of the Critical Winter Deer Herd Migration Area Overlay.

- ◆ The General Plan should clearly state that legal non-conforming parcels may still have a home constructed on them. In addition, it should clearly state where second units are allowed, including in the Resource Conservation designation.
- ◆ The Deer Herd Migration Area Overlay should not be implemented until a study using current field data is conducted by a biologist. The landowner should not bear the burden of proving that a parcel is outside of the deer herd's migration area.
- ◆ The Agricultural Services designation should allow commercial agriculture.
- ◆ Concern was raised regarding large parcel sizes in the foothill and mountain communities. Wildfire risk is a significant concern, and it takes a lot of work to manage a large parcel to reduce fire risk.
- ◆ An owner of an agricultural parcel in the Thermalito area of Oroville would like their agricultural designation maintained.
- ◆ An owner of a ranch in Bangor that is designated for agriculture in General Plan 2030 requested that the designation change to Foothill Residential, with implementing zoning of FR-5. This owner also requested that the Deer Herd Migration Area Overlay boundary revert to its previous location.
- ◆ The General Plan should account for growth that could occur as a result of the On-Site Wastewater Treatment Ordinance that is underway.
- ◆ Support was expressed for allowing second units on residential parcels.
- ◆ The General Plan should provide the opportunity for cooperative housing.
- ◆ The General Plan should recognize that many families are sharing homes in light of today's economy.
- ◆ The General Plan should include a plan to work with State agencies, such as the California Highway Patrol and the California Department of Forestry and Fire Protection, so that they enforce existing State laws that affect Butte County residents.

Agriculture Element

- ◆ There should be a policy under Goal AG-3 that would stop the use of petrochemicals in agricultural practices.

Water Resources Element

- ◆ The County should study water supply in the Chico area to build a case for diverting surface water from the State Water Project for use in the Chico area.

Circulation Element

- ◆ Support was expressed for Policy CIR-P4.2, which encourages improved public transit service to rural areas. Improved public transit is needed especially in the Concow community where many people are suffering after the fire last year.
- ◆ The General Plan should address impacts to roadways from logging trucks.

Conservation and Open Space Element

- ◆ The General Plan and/or Zoning Ordinance should clarify how clustering would occur. Undeveloped portions of parcels developed in a clustering pattern could be managed by the California Department of Fish and Game.
- ◆ Policy COS-P3.3, which is about constructing utility lines along existing utility corridors, should also address issues related to aesthetics, health and noise associated with utility lines.
- ◆ The General Plan should account for the conversion of electrical energy to alternative energy supplies.

Health and Safety Element

- ◆ The General Plan should include more specific direction and actions regarding wildfire safety and hazards related to the Magalia Dam.
- ◆ The General Plan should address fire evacuation and emergency access routes, in particular in the Upper Ridge and Concow areas. There are bridges in these areas that are not adequate for emergency vehicles, which leads to poor response times since emergency crews have to take alternate routes. Routes should be identified in the General Plan so that they are improved for emergency access.
- ◆ The General Plan should identify evacuation routes from the Paradise Ridge, Butte Creek Canyon, Concow and Cohasset areas.
- ◆ There were several comments made about fences and the need to control them. Emergency evacuation is impeded when people construct fences in roadway rights-of-way. The General Plan should uphold existing regulations regarding roadway widths for emergency access, and ensure that such regulations are enforced.

Public Facilities and Services Element

- ◆ There was concern expressed regarding how Goal PUB-7, regarding cooperative planning with park providers, would be achieved.
- ◆ The General Plan should include additional guidance and flexibility to allow septic systems in the foothills, and Yankee Hill in particular, where steep topography and streams make it difficult to meet current County requirements for septic systems. It was also noted that the Environmental Health Division of

the Butte County Public Health Department is in the process of developing policies and procedures related to this issue through the On-Site Wastewater Treatment Ordinance.

- ◆ The General Plan should include a discussion of the sewer ponding ordinance, since the ponding approach to sewer will have a dramatic impact on land use in large undeveloped areas of the county.
- ◆ The General Plan and/or Zoning Ordinance should discuss recent State action regarding septic tank cleaning and inspection enforcement.
- ◆ The General Plan should increase recycling opportunities in rural areas like Concow.

Glossary

- ◆ The term “Area of Origin water rights” should be added to the glossary.
- ◆ The term “sustainable” should be defined in the glossary.

Other Issues

- ◆ The General Plan should address code enforcement issues related to visual blight and sanitation in the Kelly Ridge area. Crime is also an issue in this community.
- ◆ The General Plan should direct the County to do a better job on code enforcement, especially related to the development of rural lots without a permit.
- ◆ The County should consider instituting a dangerous dog law.