

**Butte County General Plan 2030**  
**Board of Supervisors/Planning Commission Joint Study Sessions**  
January 19 and 21, 2010  
Butte County Board of Supervisors Chambers, Oroville, CA  
Draft Butte County General Plan 2030 (Meeting Series #7-3/4, Meetings A & B)  
**Meeting Summary and Summary of Public Comments**

This document provides a general summary of the January 19 and 21, 2010 study sessions regarding the Public Review Draft of General Plan 2030 and summarizes public comment received at each of the study sessions.

At the outset of each study session, Butte County Development Services Director Tim Snellings provided a general overview of the General Plan 2030 process to date, as well as a description of the process for each day's study session. Each study session was divided into a morning and afternoon session. Prior to each morning and afternoon session, Tanya Sundberg, Associate with Design, Community and Environment, the General Plan 2030 lead consultant, presented a summary of each General Plan 2030 chapter that was to be considered in that session. Butte County Development Services Principal Planner Dan Breedon presented staff's recommendations regarding changes to the chapters that were to be considered in the session. Following these presentations, members of the public provided comments on the chapters that were to be considered. Finally, the Board of Supervisors, with input from the Planning Commission, provided final direction regarding changes that should be made to the September 2, 2009 Public Review Draft General Plan 2030. At the conclusion of the meeting on January 21, 2010, the Board of Supervisors unanimously passed a motion to accept the draft General Plan with the changes directed by the Board of Supervisors on January 19 and 21, 2010. This motion also directed staff to release the Environmental Impact Report on General Plan 2030 for a 60-day public review period.

A detailed summary of the Board of Supervisors' direction regarding changes to the Public Review Draft General Plan 2030 is provided in the separate document entitled "Board of Supervisors Direction on General Plan 2030." Butte County General Plan 2030 has been comprehensively updated with all of the Board's direction in a revised draft dated January 21, 2010, available on-line at [www.buttegeneralplan.net](http://www.buttegeneralplan.net).

The comments provided during the public comment period are summarized below. It should be noted that numbering and citations to General Plan 2030 policies and actions have changed in the subsequent draft of General Plan 2030. The reader is directed to the September 2, 2009 Draft of General Plan 2030 for the citation used in this meeting summary.

**Chapter 4, Land Use Element**

Members of the public commented that:

- ◆ The Timber Mountain designation should allow second dwelling units.
- ◆ The General Plan should not require a use permit for all uses in the Recreation Commercial designation, since this would stifle economic development.
- ◆ Additional study of the deer herd migration is needed before the Deer Herd Migration Area Overlay is created.

- ◆ The deer herd overlay is draconian and could cause legal problems for the County if the entire area is intended to be parkland.
- ◆ A number of property owners in the eastern Oroville foothills area expressed support for the Rural Residential designation and Unique Agriculture Overlay that is included General Plan 2030.
- ◆ The Concow Citizens Community and Feather River Community Alliance support all of staff's recommendations. The major concerns of these groups are that small agriculture and commercial uses are allowed in conjunction with residential uses, such as a small store or fruit stand in conjunction with a house. These issues will need to be addressed through the Zoning Ordinance Update.
- ◆ Helena Chemical requested the Agriculture Services designation in Nelson at the corner of Nelson Road and the Midway.
- ◆ A property owner in the Concow/Yankee Hill area requested that the land use designation for adjacent parcels not change until more is known about deer herd migration.
- ◆ The Bell Muir Rural Residential Property Owners Group requested that the Rural Residential designation in the Bell Muir area either change to Very Low Density Residential or allow 1-acre lot sizes. Approximately 85 percent of the landowners within this area prefer 1-acre zoning, according to a survey by Bob Kromer, a property owner in this area. In addition, the group indicated that during Meeting Series #5, the Planning Commission voted 4-to-1 to move the Greenline to northwest of the Rural Residential area, which would allow urban development in this area. If this change is not made now and instead made in the future, a lengthy and costly General Plan Amendment would be needed, with no guarantee for success. A minimum lot size of 1 acre would preserve the rural character and is consistent with the Nitrate Compliance Plan. In addition, the County's agricultural buffer policy should provide any needed buffers, rather than using the Rural Residential land use designation.
- ◆ A representative for a property owner in the Butte Creek Canyon area requested that either the Agriculture designation change to Foothill Residential on these parcels, or that the minimum parcel size in Agriculture be reduced to 5 acres. One of the parcels is currently zoned FR-5 and FR-20. In addition, deer herd migration studies have been conducted under the direction of the California Department of Fish and Game, and determined that the area is appropriate for the Winter Deer Herd Migration Area Overlay, instead of the currently-planned Critical Winter Deer Herd Migration Area Overlay. Furthermore, the property owners have addressed access issues.
- ◆ A representative from the Patrick Ranch, located on the Midway, requested that the Agriculture designation at the Patrick Ranch change to Public in order to be consistent with the recently-adopted Master Plan for the Ranch.
- ◆ A representative of the Doe Mill/Honey Run Specific Plan project requested that the limit of 1,500 dwelling units for this Specific Plan be eliminated from the General Plan, since a higher unit count may be more appropriate for this project.
- ◆ A representative from Sierra Pacific Industries (SPI) requested that the Timber Mountain designation for a SPI-owned parcel in Forbestown change to Rural Residential. The existing

General Plan land use designation is Agricultural Residential, and the site characteristics support residential development.

- ◆ A representative for a property owner in Yankee Hill requested a commercial designation for the property, since the parcel is not appropriate for residential use, is located along the highway, and adjoins other commercial uses. In addition, commercial services are needed in this community in order for redevelopment after the fire.
- ◆ The owner of Chinca's Market in the Chapman Mulberry neighborhood requested that the Medium Density Residential designation on his parcel change to Retail/Office so that the business can stay open.
- ◆ A property owner in the Bangor area requested that the Agriculture designation on her property change to allow 5-acre lot sizes, since the parcel is located only a mile from town. The property owner has lived in Bangor for 20 years, and has never seen a deer on her property. She would like the ability to develop a few additional homes on her 68-acre property for her children. She requested that the Bangor community be allowed to provide input on the land use designations in its community, similar to the process for the Concow community.
- ◆ A property owner in the Durham area requested that the Agriculture designation on his property change to allow 5-acre lot splits, which is consistent with the existing zoning for this parcel, according to the parcel description from a title company. Also, 5-acre lots would be consistent with the surrounding area. The property owner has experienced conflicts between his agricultural practices and the surrounding residential uses.
- ◆ A representative from the Paradise Summit Planned Unit Development project supported staff's recommendations regarding changes to the land use designations in this area.
- ◆ A representative from the Palomino Ridge subdivision project supported staff's recommendation to change the Low Density Residential designation in this subdivision to Medium Density Residential in order to be consistent with the approved Tentative Map.
- ◆ A property owner in the area southeast of Chico summarized his request for a community service park that would front the Skyway and Highway 99. Plans include fields, a dog park, swimming facility, community gardens, and open space for various uses. The property owner has contacted the Chico Area Recreation and Park District, which seems interested in the project. The project would benefit the community and economic development, since it could bring national and State tournaments to Butte County, thereby generating transient occupancy taxes. In order to facilitate this project, the property owner requested that the Agriculture designation change to Public or Recreation Commercial. This request was also supported by the representative from the nearby Doe Mill/Honey Run Specific Plan project.

#### **Chapter 6, Economic Development Element**

Members of the public commented that:

- ◆ The policies in the Economic Development Element should be proactive, and address partnering with the municipalities and other economic development organizations, with the County maintaining a leadership role.

- ◆ As recommended by the Citizens Advisory Committee, Action ED-A1.3(a) should be called out as a separate, stand-alone action; this will help to attract prospective businesses and job creators.

### **Chapter 7, Agriculture Element**

Comments from members of the public included:

- ◆ A speaker expressed support for the Citizens Advisory Committee’s recommendation to modify Policy AG-P2.2 to recognize that parcels that have not been used for agriculture should not be protected as such.
- ◆ A representative from the Cattlemen’s Association expressed support for Policy AG-P5.2, which states that urban development shall not limit the financial sustainability of agricultural operations. The representative also requested that a similar policy be added to prohibit conservation uses, such as mitigation banks, from affecting the financial viability of agricultural operations.

### **Chapter 8, Water Resources Element**

Members of the public commented that:

- ◆ The General Plan should recognize recent State legislation regarding water conservation. The County should implement Assembly Bill 1481 and recent amendments to the Porter-Cologne Water Quality Control Act, which address waste discharge requirements and recycled water. The County should conduct further study regarding wastewater recycling and proactively use recycled water technology. Water conservation and reuse should be addressed throughout the General Plan, and not just in the Water Element.
- ◆ A speaker expressed support for the Water Commission’s recommended changes to Policy W-P3.4, which pertains to groundwater recharge.

### **Chapter 9, Circulation Element**

Members of the public commented that:

- ◆ The Circulation Element should include a transportation corridor from Paradise and Magalia to Highway 32. The improvement along Forest Highway 171 will not provide for economic development or evacuation purposes, which are needed since the Paradise and Magalia area is a major population center.
- ◆ A resident expressed support for improvements to Ophir Road as an alternative route to Lake Oroville, and suggested that the County plan for improvements to the north side of the lake to provide for evacuation, such as a connection to Cherokee Road.
- ◆ A resident expressed support for Policy CIR-P2.7, which calls for “Complete Streets” policies.

### **Chapter 10, Conservation and Open Space Element**

Members of the public commented that:

- ◆ The introductory text of the Conservation and Open Space Element should mention cultural resources earlier than it currently does.

- ◆ Many of the policies in the Conservation and Open Space Element are already required by State and federal legislation.
- ◆ Policy COS-P1.2 should be revised to allow off-site GHG mitigation where on-site mitigation is not feasible.
- ◆ The use of “shall” in Policies COS-P2.2, COS-P2.3 and COS-P4.3 should be changed to “should.”
- ◆ Policies COS-P7.4 and COS-P7.5 contradict each other, in that one policy directs new development to mitigate impacts in sensitive habitat areas, while the other policy prohibits new development in wetlands and significant habitat areas. Policy COS-P7.5 should be deleted so that impacts can be mitigated.
- ◆ Policy COS-P7.8 should be revised to reflect the fact that it is not typical for Department of Fish and Game or US Fish and Wildlife Service staff to visit construction sites.
- ◆ A representative from Sierra Pacific Industries requested that all references to the “Timber Preserve Zone” be changed to “Timber Production Zone” or “Timber Conservation Zone.” The representative also questioned the intent of COS-P11.4, which requires that the County review timber harvest plans for compatibility with General Plan policies, and recommended that it be deleted because the State maintains authority for timber harvest plan review.
- ◆ A representative from the Northeast Information Center (NEIC) indicated that the NEIC maintains site records for local tribes, and is willing to assist with the consultation process with local tribes, as called for by Action COS-A16.1. The Northwest Information Center uses a similar consultation process, and only gives out site information with approval from the tribes. The NEIC is also interested in participating in the development of standards for archeologists, as called for in Action COS-A16.1(f).

#### **Chapter 11, Health and Safety Element**

A member of the public commented that:

- ◆ It is not clear how the deer herd overlay will be implemented, but it could lead to potable water contamination if deer populations near surface water supplies increase. In addition, based on studies by the University of California, the deer population should be kept below 10 deer per square mile in order to manage Lyme disease. The Department of Fish and Game should be consulted in these matters.

#### **Chapter 12, Public Facilities and Services Element**

A member of the public commented that:

- ◆ Policy PUB-P12.3 should be revised to allow private management of community sewerage systems.