



Gridley Community Meeting

AG to RR change to General Plan Designation and Zoning

October 18, 2011

6:00 pm, Manzanita Elementary School, 627 E. Evans-
Reimer Road, Gridley, CA

--AGENDA--

Goals of this meeting: *To receive community input concerning the potential change in General Plan designation from Agriculture to Rural Residential in the Gridley and Biggs areas; to communicate to property owners and residents the differences and similarities between the two zones, and to inform future decision makers about community desires and needs concerning this potential change.*

1. Background (handouts)
2. Comparison Between AG and RR Zones (handouts)
3. Open Discussion
4. Next Steps

FACT SHEET

Proposed General Plan Amendment in Gridley and Biggs Areas (Agriculture to Rural Residential) October 18, 2011

Background

This meeting concerns the proposed change in General Plan designation and zone from Agriculture to Rural Residential for three areas, near the cities of Gridley and Biggs. These areas have been designated Agriculture under the existing General Plan 2030 Land Use Map. These areas were identified as having a mixture of small-scale farming and other more rural and urban types of development. The Board of Supervisors approved a resolution on October 26, 2010 directing staff to prepare a General Plan Amendment solely to consider the re-designation of these areas from Agriculture to Rural Residential. This meeting is being held to receive input from the community concerning this proposed change in General Plan designation and zoning before any actual change is considered. This meeting will continue the dialogue with the community started at a previous Community Meeting held on November 29, 2010. This meeting is open to the public who are encouraged to attend and provide comment concerning this proposal.

The creation of parcels of five acres or less in size in these five areas took place under the previous Butte County General Plan (approved in 1979) and existing A-5 (Agriculture, 5-acre minimum parcel size) zone, and during earlier periods in the County's history. Under the subsequent approval of the 1995 Agriculture Element, new policy discouraged the creation of smaller 5-acre parcels in areas designated for Agriculture, but much of this development pre-dated this new policy. Because of the historic development and parcelization that has taken place, these areas may be less suitable for an Agriculture designation and more suitable for a Rural Residential designation under General Plan 2030.

The five areas proposed for Rural Residential designations have been limited to existing development that has taken place at a density of less than 10-acres, with some exceptions. In establishing the boundaries for each of these five areas, staff considered the following factors

- ◆ Proximity to the existing urban centers of Biggs, Gridley and the Spheres of Influence of Biggs and Gridley
- ◆ Areas of existing residential development and land uses
- ◆ Areas of existing agricultural land uses
- ◆ Areas currently zoned A-5 (Agriculture, 5-acre minimum parcel sizes).

- ◆ Areas currently zoned A-5 (Agriculture, 5-acre minimum parcel sizes).
- ◆ Parcels less than 10 acres in size
- ◆ No parcels under Williamson Act Contracts

It was necessary to include some parcels 10 acres and larger in size in order to limit the creation of isolated areas (spot zones) with differing land use designations. The potential future subdivision of these larger parcels may allow up to approximately 35 additional parcels between all of the three areas. For each of the three areas the number of new 5-acre parcels that could potentially be created under the RR General Plan designation and zoning is provided below:

1. Gridley West: 8 new parcels
2. Gridley East: 13 new parcels
3. Biggs East: 14 new parcels

1. Gridley West

Propose AG change to RR on 526 acres.

Agriculture designation allows no new parcels.

Proposed Rural Residential designation allows 8 new parcels.

Analysis

Total Parcels: 250

< or equal to 5 ac: 220 parcels (0 new parcels)

< 10 ac: 246 (0 new parcels)

10 to 15 ac: 1 (1 new parcel)

15 to 20 ac: 2 (4 new parcels)

20 to 25 ac: 1 (3 new parcels)

2. Gridley East

Propose AG change to RR on 889 acres.

Existing Agriculture designation allows 0 new parcels.

Proposed Rural Residential designation allows 13 new parcels.

Analysis

Total Parcels: 326

< or equal to 5 ac: 265 parcels (0 new parcels)

< 10 ac: 318 (0 new parcels)

10 to 15 ac: 5 (5 new parcels)

15 to 20 ac: 2 (4 new parcels)

25 to 30 ac: 1 (4 new parcels)

3. Biggs East

Propose AG change to RR on 554 acres.

Existing Agriculture designation allows no new parcels.
Proposed Rural Residential designation allows 14 new parcels.

Analysis

Total Parcels: 140

< or equal to 5 ac: 117 parcels (0 new parcels)

< 10 ac: 131 (0 new parcels)

10 to 15 ac: 5 (5 new parcels)

15 to 20 ac: 3 (6 new parcels)

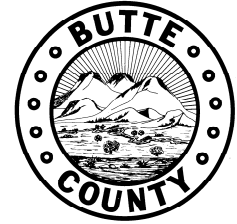
20 to 25 ac: 1 (3 new parcels)

Butte County Department of Development Services

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From: Tim Snellings, Director
Butte County Department of Development Services

To: All Interested Parties

Subject: October 18, 2011 Gridley Community Meeting on proposed AG to RR change to General Plan designation and zoning, at 6:00 pm, Manzanita Elementary School, 627 E. Evans-Reimer Road, Gridley, CA

Comparison of Land Use Regulations and Development Standards in the Second Draft Zoning Ordinance (July 8, 2011 Draft) for Agriculture (AG), Rural Residential (RR)

MAJOR DIFFERENCES BETWEEN AG AND RR ZONES.

1. Agricultural Processing (cold storage houses, hulling operations fruit dehydrators, dryers, bottling, warehousing etc.) is allowed in the AG zone but not allowed in the RR zone.
2. Animal Processing and Intensive Animal Operations and Commercial Stables are conditionally permitted in the AG zone but are not allowed at all in the RR zone.
3. Oil and Gas Extraction and Mining and Surface Mining Operations are conditionally permitted in the AG zone but are not allowed at all in the RR zone.
4. Forestry and Logging is allowed in the AG zone but not allowed in the RR zone.
5. A Feed Store is conditionally allowed in the AG zone but not allowed at all in the RR zone.
6. AG Worker Housing Center is an allowed use in the AG zone but is not allowed in the RR zone.
7. Community Centers, Religious Facilities and Schools are conditionally allowed in the RR zone but not allowed at all in the AG zones.
8. Cultural Institutions (historic areas, interpretative institutions, museums etc.) are conditionally permitted in the AG zone but not allowed at all in the RR zone

9. Outdoor Education (the occasional and temporary use of property by non-profit groups and public agencies for outdoor education etc) is permitted in the AG zone but not allowed at all in the RR zone.
10. Medical Offices and Clinics (outpatient only) are Conditionally permitted in the RR zone but not allowed at all in the AG zone.
11. Agricultural Product Sales, Off-Site (The sale of AG products grown off-site) are allowed with a Minor Use Permit in the AG zones but not allowed at all in the RR zone. (Agriculture Product Sales, On-Site are allowed in both the AG and RR zones).
12. Animal Services (Vets, dog and cat grooming, animal hospitals, animal shelters) are allowed in the AG zone (when not interfering with AG operations) and conditionally allowed in the RR zone.
13. Golf Courses and Country Clubs are conditionally allowed in the RR zones but are not allowed at all in the AG zones.
14. Commercial Recreation, Outdoor (golf driving ranges, amusement parks, fairgrounds, commercial sports centers, campgrounds etc) is conditionally allowed in the AG zone but not allowed at all in the RR zone.
15. Nursery, Retail is conditionally allowed in the RR but is not allowed at all in the AG zones.
16. Nursery, Wholesale is permitted in the AG but conditionally allowed in the RR zone (on sites 1-acre or larger)
17. Personal Services (beauty and barber shops, shoe repair, tailor shops, dtry cleaners, laundrettes, driving schools, fitness centers etc.) are conditionally allowed in the RR but not allowed at all in the AG zone.
18. Aerial Applicator and Support Services (crop dusting facilities) are permitted with a Minor Use Permit in the AG zone but not allowed at all in the RR zone.
19. Runways and Heliports are allowed with a Minor Use Permit in the AG zones but not allowed at all in the RR zone.
20. Recycling Collection Facility, Small is allowed in the AG zone but not allowed at all in the RR zone.
21. The RR zone is subject to the Animal Keeping standards under Section 24-155 of the Draft Zoning Ordinance, the AG zone is not subject to the Animal Keeping standards.

PERMITTED LAND USES --SEE FOOTNOTES [1] AND [2]

Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed	Zone			Applicable Regulations
	AG	RR		
Agricultural Uses				
Agricultural Processing	P	I		
Animal Grazing	P	P		RR subject to updated Animal Keeping Standards 24-155
Animal Processing	C	I		
Animal Processing, Custom	P	P		
Crop Cultivation	P	P		
Feed Store	C	I		
Intensive Animal Operations	C	I		
Stables, Commercial	C	I		
Stables, Semi-Private	P	P		RR subject to updated Animal Keeping Standards 24-155
Stables, Private	P	P		RR subject to updated Animal Keeping Standards 24-155
Natural Resource Uses				
Forestry and Logging	P	I		
Mining and Surface Mining Operations	C	I		Chapter 13 BCC
Oil and Gas Extraction, including reinjection wells for natural gas	C	I		
Timber Processing	-	-		
Residential Uses				
Agricultural Worker Housing Center	P	I		
Caretaker Quarters	-	-		
Duplex Home	-	-		
Home Occupation -Major	M	M		24-159
Home Occupation -Minor	A	A		24-159
Live/Work Unit	-	-		
Mobile Home Park	-	-		
Multiple Family Dwelling	-	-		
Residential Care Homes, Large	-	-		
Residential Care Homes, Small	P	P		
Second Units	P	P		Section 24-169
Single Family Home	P [5]	P (6)		
Community Uses				
Cemeteries, Private	-	-		
Cemeteries, Public	-	-		
Child Care Center	-	-		
Child Day Care, Large	I	M		Section 24-156

Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required - Use not allowed	Zone			Applicable Regulations
	AG	RR		
Child Day Care, Small	P [3]	P		Section 24-156
Clubs, Lodges and Private Meeting Halls	M [6]	C		
Community Centers	I	C		
Correctional Institutions and Facilities	-	-		
Cultural Institutions	C	I		
Emergency Shelter	-	-		
Golf Courses and Country Clubs	I	C		
Hospital	-	-		
Medical Office and Clinic	I	C		
Office, Governmental	-	-		
Outdoor Education	P	I		
Parks and Recreational Facilities	C	C		
Public Safety Facilities	C	C		
Religious Facilities	I	C		
Schools, Public and Private	I	C		
Water Ski Lakes	-	-		
Commercial Uses				
Adult Businesses	-	-		
Agricultural Product Sales, Off-Site	M [3]	I		
Agricultural Product Sales, On-Site	P [3]	P		
Agricultural Support Services, General	-	-		
Agricultural Support Services, Light	-	-		
Animal Services	P [8]	C		RR subject to updated Animal Keeping Standards 24-155
Bars, Nightclubs and Lounges	-	-		
Bed and Breakfast	M	M		
Commercial Recreation, Indoor	-	-		
Commercial Recreation, Outdoor	C	I		
Construction, Maintenance and Repair Services	-	-		
Drive-through Facility	-	-		
Equipment Sales and Rental	-	-		
Gas and Service Stations	-	-		
Heavy Equipment Storage	P	P		
Hotel and Motel	-	-		
Hunting and Fishing Clubs	P [8]	I		
Nursery, Retail	I	C [5]		
Nursery, Wholesale	P	C [5]		
Offices, Professional	-	-		

Key P Permitted use, subject to Zoning Clearance A Administrative Permit required M Minor Use Permit required C Conditional Use Permit required – Use not allowed	Zone			Applicable Regulations
	AG	RR		
Personal Services	I	C		
Personal Services, Restricted	-	-		
Public/Mini-Storage	-	-		
Recreational Vehicle Parks	-	-		
Restaurant	-	-		
Retail, General	-	-		
Retail, Large Projects	-	-		
Retail, Restricted	-	-		
Vehicle Repair	-	-		
Vehicle Sales and Rental	-	-		
Vehicle Service and Maintenance	-	-		
Wine, Olive Oil, Fruit and Nut, Micro-Brewery, and Micro Distillery Facilities	See Section 24-172 –old Winery Ordinance Extensively updated			
Industrial Uses				
Manufacturing, General	-	-		
Manufacturing, Heavy	-	-		
Manufacturing, Light	-	-		
Research and Development	-	-		
Warehousing, Wholesaling and Distribution	-	-		
Transportation, Communication, and Utility Uses				
Aerial Applicator and Support Services	M	I		
Airport-Related Uses	-	-		
Composting Facilities	-	-		
Farm Airstrips	P	I		
Freight and Truck Terminals and Yards	-	-		
Recycling Collection Facility, Large	-	-		
Recycling Collection Facility, Small	A	I		
Recycling Processing Facility, Heavy	-	-		
Recycling Processing Facility, Light	-	-		
Reverse Vending Machine	A	I		
Runways and Heliports	M [3]	I		
Parking Facilities	I	C		
Telecommunications Facilities	See Article 26			
Utilities, Major	C	C		
Utilities, Minor	P	P		
Other Uses				
Accessory Uses and Structures	See Section 24-153 –extensively updated list of Accessory Uses and Structures			

NOTES for AG:

- [1] See Article 42 (Glossary) for definitions of listed land uses.
- [2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 30 (Site Development Permits).
- [3] Permitted only as an accessory use.
- ~~[4] Only one additional dwelling unit (i.e. second dwelling unit, caretaker quarters, agriculture worker housing) is allowed.~~
- [5] One single family home is permitted per legal parcel.
- [6] Permitted only for organizations that provide a service to the agricultural community, such as a grange or similar organization.
- [7] Manufacturing uses that directly support agricultural activities in Butte County are classified as “Agricultural Support Services, General” and are conditionally permitted in the AS zone. (Pertains to AS zone only)
- [8] Permitted only when not requiring permanent improvements and not interfering materially with agricultural operations.

NOTES FOR RR:

- [1] See Article 42 (Glossary) for definitions of listed land uses.
- [2] The construction or expansion of structures occupied by any land use identified in this table requires the approval of a Site Development Permit, except as specifically exempted by Article 29 (Site Development Permit).
- [3] Permitted only on sites 5 acres or larger.
- [4] Requires the approval of a mining permit and reclamation plan pursuant to Butte County code Chapter 13 (pertains to FR zone)
- [5] Permitted only on sites 1-acre or larger.
- [6] One single family home is permitted per legal parcel.

PARCEL SIZE AND DENSITY FOR AG AND RR

	Parcel Area (min.) [1] [5] [6]	Parcel Width (min.) [1b] [5]	Residential Density (max.) [2] [4]
AG-20	20 acres	65 ft.	1 unit
AG-40	40 acres	65 ft.	1 unit per parcel
AG-80	80 acres	65 ft.	1 unit per parcel
AG-160	160 acres	65 ft.	1 unit per parcel
AG-320	320 acres	65 ft.	1 unit per parcel
RR-5	5 acres	65 ft.	1 unit per parcel
RR-10	10 acres	65 ft.	1 unit per parcel

Notes for AG

- [1] Applies only to the creation of new parcels through the subdivision process.

Notes for RR:

- [1b] A minimum 40 feet parcel width is permitted on cul-de-sac parcels.
- [2] Second units are permitted as an accessory use in all residential zones.
- ~~[3] Projects may be developed below minimum residential densities only with the approval of a Conditional Use Permit as provided in Subsection C below.~~
- [4] In the FR, RR and VLDR zones, only one primary dwelling unit and a second unit is permitted per parcel, regardless of size.
- [5] Applies only to the creation of new parcels through the subdivision process.
- [6] Corner parcels may exceed maximum permitted parcel area by up to 10 percent.

SETBACK AND HEIGHT STANDARDS FOR AG AND RR [1]

	Standard by Zone		Applicable Standards
	AG	RR	
Primary Structure Setbacks (min.)			Article 17(Agricultural Buffers –AG only) Article 16 (Riparian Areas) Article 12 (Setback Requirements and Exceptions)
Front	20 ft.	20 ft.	
Interior Side	25 ft. or 5 percent of the lot width, whichever is less but no less than 5 ft.	10 ft.	
Street Side	20 ft.	10 ft.	
Rear	25 ft.	10 ft.	

	Standard by Zone		Applicable Standards
	AG	RR	
Accessory Structure Setback (min.)	See Section 24-153		
Separation Between Structures (min.)	As required by the California Building Code		
Primary Structure Height (max.)	See Subsection A, below	35 ft.	Article 11 (Height Measurement and Exceptions)
Accessory Structure Height (max.)	See Section 24-153		

Notes:

[1] For parcels with a front property line extending to the centerline of the public right-of-way abutting the parcel, the front setback shall be measured from the edge of the public right-of-way. Additional Setbacks may be required by the Fire Safe Regulations, Public Resources Code, Section 4290.

A. Maximum Permitted Height in Agriculture Zones.

1. **Residential Structures.** The maximum permitted height of residential structures within an agriculture zone is 35 feet.
2. **Non-Residential Structures.** The maximum permitted height of non-residential structures within an agriculture zone is 50 feet, except as allowed by Subsection 3 below.
3. **Exceptions for Non-Residential Structures.** Water tanks, graineries, barns, pole buildings, electronic towers, antennas, agricultural processing equipment and silos, aggregate processing facilities, and similar structures associated with agricultural operations may exceed 50 feet in height provided they do not exceed height restrictions in regulated airport approach zones. Such structures shall not exceed the maximum height necessary to perform its intended function. See also Section 24-154 (Alternative Energy Structures) concerning the height of alternative energy structures, and Article 26 (Telecommunication Facilities) concerning the height of towers, antennas, and similar structures not associated with agriculture.

Staff Note: The Flexible lot size provisions have been amended under the Second Draft Zoning Code and are now reflected at Article 18 –Clustered Development under the new code. This allows clustered development in the Rural Residential zone, but not the Agriculture zone.

Frequently Asked Questions
Gridley/Biggs Area Agriculture to Rural Residential
Proposed General Plan Amendment
Meeting at Manzanita Elementary School
October 18, 2011

1. How will the proposed change from Agriculture to Rural Residential affect my property taxes?

The following is a discussion of the implications of zoning and land use designation changes as it relates to the Revenue and Taxation Code (R&T Code) provided by the Butte County Assessor. Specifically, Section 110.1 (“full cash value”) requires the Assessor to respond to four events under Prop 13: 1) Establishment of a 1975 base value; 2) Establishment of a new base value upon change in ownership; 3) Establishment of a new base value upon completion of construction; 4) Establishment of a lien date value (January 1) for purposes of reductions in value. As to item #4, the “reductions in value” must be due to damage, destruction, depreciation, obsolescence, removal of property, or other factors (overall market conditions) causing a decline in value (Section 51).

Enforceable land use restrictions are detailed in Section 402.1 of the R&T Code and, indeed, the affect of zoning is a significant factor to be determined in the appraiser’s “highest and best use” analysis of real property, *upon change in ownership*. Just as the Assessor does not add value to property for a perceived zoning enhancement (for instance, a property was formerly zoned agriculture and subsequently zoned high-density residential, with a commercial element), value is not removed for a perceived downzone. Statute is very specific and restricts that.

Under Section 1603 of the R&T Code, taxpayers have the right to file an appeal of their assessment each year from July 2 through November 30 for reductions in value *due to market decline*. Adjustment, if warranted, must be proven by factual, properly adjusted, sales evidence. That section does not apply, however, to an appeal based upon an assertion of value decline due to the affect of an enforceable governmental restriction; specifically, Section 1630, as follows, is applicable:

1630. Statement of intention. (a) Any real property owner the use of whose land is subject to an enforceable restriction placed upon it by a local agency may apply to the governing body of the local agency for a written statement declaring the present intention of the governing body to refrain from removing or modifying any such restriction in the predictable future.

(b) The written statement of intention may be granted or denied by the governing body at its discretion. A reasonable fee not to exceed ten dollars (\$10) may be charged for each such statement.

- (c) The written statement may be presented to the county board of equalization as evidence that a restriction on the use of the taxpayer's land exists and that such restriction should be considered in assessing the value of the land.
- (d) The written statement shall constitute a rebuttable presumption that the governing body does not intend to remove or modify the restriction in the predictable future.

It is important to note that when appealing a value under Section 1630, "representative sales information," as detailed in Section 402.1, is required of the applicant and the Assessor. That is to say, information from sales of a "sufficient number of comparable lands" similarly zoned must be obtained "to give an accurate indication of the full cash value of the land being valued;" *conjecture is insufficient to prove a case.*

2. Why is this change proposed?

One of the goals of the Butte County General Plan 2030 process is to match General Plan land use designations with existing land uses. During the latter part of the General Plan 2030 process staff determined that several areas in proximity to Gridley, Biggs and Palermo needed further review to determine appropriate land use designations under the new General Plan. This was determined due to the existing parcel sizes and residential uses taking place in these areas. On October 26, 2010, the Butte County Board of Supervisors, after considering staff's analysis presented on September 29, 2010, approved a Resolution directing the Department of Development Services to further study and present a specific General Plan Map amendment from Agriculture to Rural Residential for future consideration by the Board.

3. What is the difference between the General Plan and Zoning?

There is an important distinction between a General Plan designation and a Zone. A General Plan designation can provide for a variety of land uses and levels of development. For instance, the Rural Residential designation provides the ability to create parcels from 5 to 10 acres in size, or more. The zones implemented under the Rural Residential designation will show where the various 5 or 10-acre subzones would be implemented. Some areas would be zoned RR-5, providing for a 5-acre minimum parcels size, and some areas would be zoned RR-10, providing for a 10 acre minimum parcel size. It is important to note that the 5 or 10-acre minimum only applies when determining the ability to subdivide, and would not negatively influence a parcel that is smaller than the minimum parcel size (see question #15 below).

If the Board of Supervisors acts to approve the proposed General Plan Amendment from Agriculture to Rural Residential, a corresponding update to the Zoning Map would also be considered for approval. Further review would determine where the 5 and 10-acre Rural Residential zoning would be located.

The Draft Butte County Zoning Ordinance is undergoing a comprehensive update at this time. Public comment concerning the uses that should be included in the Rural

Residential zone is being considered by staff and additional input is encouraged at this time.

4. How soon will the Board of Supervisors consider this General Plan Amendment and corresponding Zone Change?

A supplemental Environmental Impact Report (EIR) must be prepared and the proposal must be reviewed by the Planning Commission before consideration by the Board of Supervisors. Additional analysis and community meetings are also taking place. The tentative project schedule calls for the proposal to be reviewed by the Board of Supervisors no later than mid-2012.

5. How was notification of this proposed change provided to property owners?

This change was analyzed in coordination with the General Plan 2030 update, which included extensive outreach to the public. Since this change was proposed later in the process, further outreach to affected property owners was determined to be appropriate. On September 29, 2010, the Board of Supervisors directed staff to conduct further review of inclusion of these areas in the General Plan. On November 29, 2010, a special meeting was held at the Manzanita School to hear comments and concerns from community members. Development Services staff worked with District 4 Supervisor Steve Lambert's office and other community members to provide notification of this meeting to area residents. Since the Board of Supervisors directs that a General Plan Amendment for this change, additional public notification will take place as this process continues.

6. What is the reasoning behind the locations for this proposed change?

This meeting concerns the proposed change in General Plan designation and zone from Agriculture to Rural Residential for three areas, near the cities of Gridley and Biggs. These areas have been designated Agriculture under the existing General Plan 2030 Land Use Map. The Board of Supervisors approved a resolution on October 26, 2010 directing staff to prepare a General Plan Amendment solely to consider the re-designation of these areas from Agriculture to Rural Residential. These areas were identified as having a mixture of small-scale farming and other more rural and urban types of development. This meeting is being held to receive input from the community concerning this proposed change in General Plan designation and zoning before any actual change is considered. This meeting will continue the dialogue with the community started at a previous Community Meeting held on November 29, 2010. This meeting is open to the public who are encouraged to attend and provide comment concerning this proposal.

7. Will there be a permit requirement and associated fee to have animals or farm equipment because of this proposed change?

The Rural Residential zone would be subject to Article 25, Section 24-155 of the Draft Zoning Ordinance, which is currently under review. This section, entitled "Animal Keeping", provides criteria for the keeping of animals (cows, sheep, swine, horses, goats,

alpacas and other exotic animals). Temporary educational projects (e.g., FFA, 4-H, and school projects) are exempt from these criteria. A Minor Use Permit and associated fee would be required on parcels of less than 20 acres to keep animals at a greater density than the criteria specified. The AG zone is not subject to the Animal Keeping standards set forth under Draft Zoning Ordinance Section 24-155.

Heavy equipment storage is a permitted use in both of the AG and RR zones.

8. Are there developments projects approved for this area?

There are no approved or proposed development projects in this area under General Plan 2030. Any development proposed must be consistent with the existing General Plan. Individual property owners can apply for a subdivision of their lands provided the subdivision complies with the General Plan and zoning.

9. What rules must be met to permit building on specific parcels?

Most development, whether designated Agriculture or Rural Residential, requires at a minimum obtaining a building permit from the Butte County Department of Development Services. In some cases, agricultural buildings receive a simpler and less costly review process, and this would continue to be the case whether the parcel is designated Agriculture or Rural Residential.

10. Why would Butte County want to eliminate agricultural land?

The intention of this change is not to eliminate agricultural land but to ensure that General Plan designations and zoning match existing land use patterns and uses. The Rural Residential designation will not eliminate agricultural land uses or land from this area. While this designation recognizes the area's residential uses, agricultural uses and practices are also recognized and allowed.

11. Is this eminent domain?

No. Eminent domain is a power exercised by government to take property for a public and sometimes private use. The use of a General Plan to designate land uses and to implement various zones regulating land uses throughout the county, in accordance with State law, does not constitute eminent domain.

12. Would the "Rural Residential" designation and zone impact loan programs for commercial agricultural operations.

Responses are provided below from the Executive Director of the Butte County FSA, Rob Maurer, and the Farm Loan Manager of the Farm Service Agency Katherine Lewis.

- ◆ There would be no impact directly from the zoning from our Farm Loan Program, unless the zoning prevents commercial agriculture (Rob Maurer, Butte County FSA County Executive Director)
- ◆ Would the “Rural Residential” zone allow commercial production? If not, this could cause a problem, as we would not loan to an operation that did not comply with state and local laws and regulations. Although not related specifically to the zoning change, FSA Farm Loan eligibility includes a requirement that the operation be considered a family farm rather than a rural residence (Handbook 3-FLP, Exhibit 2). One element for this determination is that the “Family Farm” produces agricultural commodities for sale in sufficient quantities so that it is recognized as a farm rather than a rural residence. We would not necessarily look to zoning to make this determination, but rather the operation itself (Katherine Lewis, Farm Loan Manager, Farm Service Agency)

Staff Note: The Rural Residential designation would not prohibit commercial agriculture. Farmsteads are uniquely permitted in the Rural Residential and Foothill Residential General Plan designations.

13. Could agriculture electricity rates be changed to a residential rate because of this change (e.g., agricultural well)?

No. According to PG&E, rates applied to customers are determined by use, not by zoning or General Plan designations. In other words, if a customer is currently enjoying a reduced rate for an agricultural well, that rate will not change because of a change in local land use designation or zoning.

14. Is the proposed change related to an annexation to the City of Gridley?

No. The County is not aware of any proposed annexation plans for this area.

15. Would parcels that are less than the 5-acre minimum parcel size imposed by the Rural Residential designation be considered non-conforming?

No. The minimum parcel size under the Rural Residential designation describes the parcels sizes needed to subdivide property (e.g., a 10-acre parcel is required to create two 5-acre parcels under the Rural Residential designation). Existing parcels that are less than 5-acres in size are entitled to all of the uses provided for under the Rural Residential designation and are considered conforming.

Draft Zoning Ordinance Section 24-155

Animal Keeping Standards Applied to the Rural Residential Zone

24-155 Animal Keeping

A. Purpose. It is the intent of the following regulations to allow persons to keep and maintain livestock on their private property in a manner that will protect the health, safety, and welfare of nearby residents, and to protect the health, safety, and welfare of animals.

B. Applicability.

1. The standards in this section apply only to residential zones that allow for animal keeping, including the Foothill Residential (FR), Rural Residential (RR), and Very Low Density Residential (VLDR) zones. Animal keeping is not permitted in the Low Density Residential, Medium Density Residential, Medium High Density Residential, High Density Residential, or Very High Density Residential zones.
2. These standards do not apply to the keeping of animals in the Agriculture (AG), Timber Mountain (TM), or Timber Production (TPZ) zones.
3. The standards in this section do not apply to the keeping of household pets. Refer to Butte County Code Section 24-162 (Kennels) for personal and commercial kennels and Butte County Code Chapter 4 (Animals) for the keeping of cats and dogs.

C. Animal Density.

1. For parcels located within the Rural Residential (RR), Foothill Residential (FR) and Very Low Density Residential (VLDR) zones, the following area requirements shall be allotted to each animal unit, and shall be required for each animal unit kept on the premises:
 - a. Animal Unit Defined.
 - 1) An animal unit (AU) is equal to one mature horse, or one mature cow, or three mature swine (lactating), or five mature sheep, or five mature goats, or five mature alpacas. Exotic animals, including, but not limited to, llamas and camels, shall be equal to one animal unit.
 - 2) Immature animals are not subject to the animal density requirements under this section provided they are the result of on-site births and removed or replace other animals upon maturity.
 - b. Mature Animal Defined. Table 24-155-1 (Mature Animals by Weight) provides a guide for defining a mature animal by weight.

TABLE 24-155-1 MATURE ANIMALS BY WEIGHT

Animal	Weight Range (lbs)
Cows	1,000 to 1,400
Ewes / Sheep	110 to 198
Swine (lactating)	320 to 410
Horses	880 to 1,980
Alpaca	150 to 352
Goats	22 to 110

Source: National Research Council.

- c. Animal Units Allowed by Zone and Parcel Size. Table 24-155-2 (Permitted Animal Units) identifies the maximum permitted number of animal units allowed by zone and parcel size.

TABLE 24-155-2 PERMITTED ANIMAL UNITS

Zone	Parcel Size	
	1 to less than 20 acres	20 acres or more
Very Low Density Residential	1 au / acre (see note 1)	See note [2]
Rural Residential	1 au / acre (see note 1)	See note [2]
Foothill Residential	1 au / acre (see note 1)	See note [2]

Notes:

[1] Supplemental feed will be required during specific times of the year to maintain the normal health and Body Condition Score (BCS) that does not violate any section of the State of California Penal Code or Chapter 4 of the Butte County Code. Two or more adjacent parcels that are less than 20 acres in size but collectively exceed 20 acres or more in size, managed as a single agricultural operation shall be subject to the 20 acres or more standard set forth under this table.

[2] An au/acre measurement is not imposed for parcels 20 acres in size or more. Supplemental feed may be required during specific times of the year to maintain the normal health and Body Condition Score (BCS) that does not violate any section of the State of California Penal Code or Chapter 4 of the Butte County Code. Two or more adjacent parcels that are less than 20 acres in size but collectively exceed 20 acres or more in size, managed as a single agricultural operation shall be subject to the 20 acres or more standard set forth under this table.

- d. Companion Animal Allowance. If the parcel size permits only one animal, an additional one animal shall be allowed.

D. Exceptions.

1. Educational Project Exemption.
 - a. Temporary education projects, including, but not limited to FFA, 4-H, and school projects, conducted by students through the twelfth grade and under the direct supervision of a qualified, responsible adult advisor or instructor, shall be exempt from the requirements of subsection (C) above. The current animal husbandry standards for keeping animals must be followed.
 - b. The animal units shall be maintained in a healthy and sanitary manner that does not violate any section of the State of California Penal Code or Chapter 4 of the Butte County Code.
2. Rotational Grazing
 - a. Area requirements do not apply to rotationally grazed parcels of 20 acres or more in size so long as the animal units are maintained in a healthy and sanitary manner that does not violate any section of the State of California Penal Code or Chapter 4 of the Butte County Code.

E. Minor Use Permits Required. On all parcels of property less than 20 acres in size, a Minor Use Permit shall be required for:

1. The keeping of such animals (horses, cattle, swine, sheep, goats and alpacas) at greater densities than allowed pursuant to subsection (C) above.
2. The keeping of poultry and rabbits for the purpose of sale of said animals or their products on a continuing basis so long as the animal units are maintained in a healthy and sanitary manner that does not violate any section of the State of California Penal Code or Chapter 4 of the Butte County Code.

F. Penalties. Violations of this section may be charged as either an infraction or misdemeanor.

G. Setbacks. Corrals and other animal containment structures shall be setback a minimum of 25 feet from any dwelling either on- or off-site.