

PUBLIC INPUT SUMMARY

Butte County General Plan 2030 Goals and Policies Development (Meeting Series #5) Board of Supervisors Study Sessions: February 18 and 19, 2009

This document summarizes the oral public input that was provided at the two Board of Supervisors Study Sessions that were held on February 18 and 19, 2009 as part of Meeting Series #5. This supplements the public input that was received during the Public Workshop that was held on September 8, 2008, the Citizens Advisory Committee meetings that were held in October 2008, and the Planning Commission Study Sessions that were held in November and December 2008. The public input is compiled separately for each meeting.

Meeting #5-4a – February 18, 2009

The topics covered at this meeting included the following:

- ◆ Urban Growth Boundaries and Community Separators
- ◆ County Character, New Development and Housing
- ◆ Regional and Local Coordination
- ◆ Agriculture
- ◆ Economic Development
- ◆ Community Health and Safety
- ◆ Noise

Members of the public provided input on these topics as reported below.

Urban Growth Boundaries and Community Separators

Bob Kromer stated that the agricultural buffer policy is a valuable tool. However, it doesn't work in every situation. The Board should remember that one size doesn't fit all with the agricultural buffer tool. Also, it doesn't make sense to have the Greenline cut through two residential designations, as it does in the Bell Muir area.

Don Swartz owns land around the Neal Road landfill. In his past development plans, he had proposed a 2,000-foot buffer around the perimeter of the landfill. Defining the landfill buffer would be helpful to him as he considers potential development plans in that area, and he supports a 2,000-foot buffer.

County Character, New Development and Housing

Lytle Williams recommended adoption of a viewshed plan for Butte Canyon. With the rapid growth in the Chico area, development pressure will impact Butte Canyon views. Setbacks and/or a greenbelt are needed in order to protect the skyline, especially along the flat areas along the ridgeline of Butte Creek. Light pollution is also an issue that needs to be addressed. Other counties have adopted similar policies.

Bill Brouhard noted that if restrictions on ridgeline development are established, ridgelines need to be defined. In addition, such policies should also take into account other aspects, like geology, topography and vegetation. Mr. Brouhard proposed policies to that do this for both single projects and master plans.

Agriculture

Jim Bishop noted that foothill agriculture is unique due to the natural setting, scale of agriculture, and types of crops. Mr. Bishop supports the policy direction under questions 11 and 14. Under Policy 11.o.i, the County should ensure that the same type of agriculture is preserved through mitigation, rather than replacing one type of agriculture with another.

Ernesto Alvarado lives in Durham. Three years ago, the County approved a house and swimming pool adjacent to his orchard. The neighbors complained about his oak trees, and he had to remove them. Mr. Alvarez indicated that the policies should be followed, and that if there are loopholes, they should be made clear to everybody.

Colleen Cecil, the Executive Director of the Butte County Farm Bureau, provided the Bureau's suggestions regarding the agriculture policies. Under question 10, the Bureau supports establishing the 300-foot buffer on the urban side of the line between agriculture and urban uses. The Bureau also encourages the County to work with the municipalities to encourage similar buffers. The Bureau supports the Greenline, and any modifications should follow natural or physical boundaries. Under question 11, the Bureau would like to work with the County to evaluate the minimum parcel sizes in agriculture areas. Soil classifications and farm commodities should be considered when setting minimum parcel sizes. The A-5 and A-10 zoning should be eliminated with compensation for landowners. The Agriculture Residential designation should be replaced by Rural Residential.

Jay Oman, representing the landowner at Pentz Road and Lago Vista (Study Area 13), supports the transfer of development rights program under question 11, but does not support the agriculture mitigation policy. Transfer of development rights programs are one of the best ways to protect both agricultural lands and homeowners because they provide a mutual benefit. Mitigation programs increase development costs, which increases home costs. Such programs also have to address a complicated question about how to define and value agricultural land.

Bruce McClintock expressed concern about the Planning Commission's recommendation to increase the minimum parcel size in the Orchard and Field Crop (OFC) designation to 40 acres. There are areas west of Chico in the OFC designation where the predominant lot size is 10 acres, with a few 40-acre parcels in which agriculture is no longer viable due to the small parcels surrounding them. Mr. McClintock supports a transitional zoning designation to allow reduced lot sizes in such areas. Mr. McClintock supports the 40-acre parcel size in other OFC areas of Butte County, such as in the Bangor area where there are percolation issues for septic.

Economic Development

Mike Donnelly of the Butte County Economic Development Corporation strongly supports job retention and improving the economic health of Butte County. The Corporation's focus is on keeping and creating high paying jobs. There is little funding for economic development endeavors; the Corporation is funded solely by the private sector. The Corporation will continue to do what it can to help Butte County's economy, especially in the current crisis. The Economic Development Element should set a high bar for economic development and be aggressive. Butte County should act as a steward of the great water resources in the county and should focus on local businesses and entrepreneurs, and Butte County businesses should emerge as global leaders in research and development, renewable energy and water management. The County needs to identify more sources of funding for economic development, and streamline the permit process. In the land use policies, the County needs to encourage more "ready-to-go" land use planning to encourage development. Collaboration will be important in order to leverage resources. Mr. Donnelly encouraged County staff to work with the Corporation and other economic development interests. The County should also acknowledge the value of California State University, Chico in its economic development efforts.

Debra Lucero is pleased with an action to create a countywide tourism strategy, but is concerned about the elimination of a policy to inventory cultural and historic sites. An inventory of cultural and historic sites is needed for grant applications.

Michael Evans suggested that the General Plan include an action to conduct an inventory of commercial and industrial buildings, including utility readiness. In addition, there are inconsistencies and problems in the Municipal Code that should be fixed. Overall, the decision process needs to happen quicker than it does now, and permits should be streamlined.

Jolene Francis of the Chico Chamber of Commerce indicated that the Chamber members are now interested in participating in the General Plan 2030 process. Ms. Francis has been in contact with the Oroville and Paradise Chambers, and they plan to work cooperatively to add detail to the General Plan policies. Ms. Francis requested that Butte County staff work with the Chambers and other economic development organizations to create detailed and measurable economic development goals and policies.

Hardeep Singh of the Oroville Chamber of Commerce asked about the growth rate that is being used for the General Plan in the unincorporated area, and noted that it is important to consider for economic development.

Bill Brouhard disagreed with having a General Plan action to create an economic develop strategy; it should be done now. Because we are in an economic crisis, there is a huge opportunity carry out economic development actions now. The economic development policies in the Policy Alternatives document are not focused or powerful. Other General Plans, such as in Shasta, Redding and Fairfield, have bold, powerful statements that direct action. Butte County should not have a study that sits on a shelf. Mr. Brouhard supports the Research and Business Park designation, and encourages the Board to have a discussion about where to apply it.

David Palmerlee cautioned the Board against allowing extreme sprawl. He encouraged compact growth in order to maximize public transportation and save the County money by using existing infrastructure and services.

Mo West spoke on behalf of the California Association for Local Economic Development. This organization offers information about funding and demographics. Mr. West encouraged the County to work with economic development organizations to implement a coordinated economic development strategy.

Meeting #5-4b – February 19, 2009

The topics covered at this meeting included the following:

- ◆ Water Resources
- ◆ Transportation, Circulation and Scenic Highways
- ◆ Utilities, Services and Airports
- ◆ Parks, Recreation and Trails
- ◆ Natural Resources and Habitat
- ◆ Green Building, Greenhouse Gases and Energy
- ◆ Cultural Resources and Tribal Coordination
- ◆ Refinements to the Preferred Land Use Alternative

Members of the public provided input on these topics as reported below.

Water Resources

Tony St. Amant felt that the water resources policies were a good basis for the Water Element. Regarding Policy 17.o.x, Mr. St. Amant clarified that an independent third party analysis is needed; currently the analysis is done by the proponent of the water sale. Regarding Policy 17.o.xv, Mr. St. Amant noted that a revision to Chapter 33 is very important. Currently, the process is based on cooperation, and if somebody complains about overdrafting, the process ends at the Water Commission. The Ordinance should be revised to involve the Board of Supervisors and including corrective measures that are enforceable. Mr. St. Amant also encouraged the Board to consider the policy suggestions from the League of Women Voters.

Bill Brouhard commented on Policy 17.o.iv regarding recharge zones, noting that we can't maintain existing groundwater levels and suggesting revised policy language. Mr. Brouhard also proposed two new policies under question 17 that would enhance the county's water supply: encourage the identification and incorporation of natural resources into project design, and promote water holding areas. Mr. Brouhard also proposed two new policies under question 18 that address the opportunities in large-scale planning to maintain and enhance water quality, as well as a policy to allow package sewage and dual pipe systems to respond to water conservation and recharge goals. In addition, Mr. Brouhard proposed revisions to policy 20.a to allow development in the flood plain when project-specific design elements are included that result in a net improvement to flood control capacity.

Bruce McClintock asked the County to define a "dangerous threshold" in Policy 17.o.xv. Mr. McClintock also requested that Policy 18.i.vii be revised to only require testing of domestic wells. Policy 20.f, which he had requested be included, should be revised to indicate that funding should be sought to address the flooding issues.

He also requested that Policy 20.g be revised to indicate that flood control facilities be protected in part by prohibiting public activities on levee tops, since he has had experience with conflicting recreation users on his levee.

Transportation, Circulation and Scenic Highways

Mo West distributed an aerial photo of the scenic view along the Skyway. Because of the recent wildfires, the scenic value has been lost. Mr. West suggested that a bike path along the Skyway would help prevent wildfires because it would remove vegetation and establish a 100-foot fire break along the Skyway. Mr. West believes that a bike path along the Skyway would help to make the scenic value permanent.

Grace Marvin, the Conservation Chair of the Sierra Club Yahi Group, supports the recommendations from Mr. St. Amant and the League of Women Voters. Ms. Marvin also noted that the Westlands Water District does not use its water efficiently.

Jim Moore requested that scenic highway designations only be used in areas that are truly scenic, and not just to limit development.

Don Swartz proposed that the scenic highway designation on the west side of the Skyway extend down as far as the 500-foot contour, since that is the elevation of the landfill, which is not scenic.

Utilities, Services and Airports

Calli-Jane Burch of the Butte County Fire Safe Council referred to the Council's policy recommendations; they resulted from collaboration, including a December workshop with 75 participants. The topic of fire safety is relevant in many different policy areas. Ms. Burch highlighted some policy suggestions, including creating a community assembly point, especially in the Magalia area; conducting general education about wildfire prevention and preparedness; promoting fuel reduction and biomass facilities; and retrofitting older homes that don't meet current codes.

Natural Resources and Habitat

Henry Lomeli of the California Department of Fish and Game noted that the 20- and 40-acre minimums in the deer range have been in place for the last 25 to 50 years. The Department is now looking towards a modern approach that uses flexible development standards that allows for some development in the deer range. Mr. Lomeli has been working closely with County staff, and believes that clustering can work. Mr. Lomeli suggested that all of the range be considered critical winter range, and that the minimum parcel size be set at 40 acres, with associated flexible development standards. Property owners with larger parcels would have more flexibility than those with small parcels. It is important to ensure that the resources receive a benefit in return for the flexibility, such as conservation easements in exchange for clustering. The deer herd policies need to be strengthened and terms need to be defined.

Jay Oman agreed that clustering can help to preserve resources. However, he doesn't support designating the entire deer migration range as critical winter.

Cultural Resources and Tribal Coordination

Amy Huberland, the Assistant Coordinator for the Northeast Information Center at Chico State, introduced the Butte County Cultural Resources Coalition, which is a diverse group of people. The Coalition believes that a strong cultural resources component of the General Plan is needed. The Coalition is pleased with the Planning Commission's recommendations to incorporate many of their policy suggestions. Ms. Huberland introduced and defined the types of cultural resources in Butte County. She also highlighted the work that was done in San Luis Obispo County to address cultural resources in their General Plan, which included specific goals and protocols for implementing the goals. The Coalition believes that a separate cultural resources element is needed, especially from an organizational standpoint. In addition, Ms. Huberland asked that the General Plan distinguish between tribal consultation and other processes, and that cultural resources protocol be established for development.

Jamie Moore, an archaeologist with the US Forest Service, noted that the General Plan needs to clarify responsibilities related to cultural resources to facilitate the permit process, and that the County should be sure they are complying with relevant cultural resources legislation. Mr. Moore described the diversity of cultural resources in Butte County, which he felt were not reflected in the Setting and Trends Report. Such resources are not renewable and can be easily destroyed. Therefore, the General Plan should protect these resources.

Dale Wanberg of the Butte County Historic Society urged the preservation of historic records and archives. Better organization, access and storage are needed for historic records. The County should support these efforts.

Lucy Sperlin of the Chico Heritage Association and Butte County Historical Society is pleased with the incorporation of policies suggested by the Butte County Cultural Resources Coalition. It is critical to have a clear cultural resources component; even if it is not a separate element, it should be a substantive part of the General Plan. In addition, it can be difficult to combine cultural resource policies with recreation due to conflicting interests. The County needs a commitment to identify and protect cultural resources. Currently, historic sites are not recorded, which should be rectified through the General Plan policies. Butte County has a very rich history, and The County needs to inventory and protect resources related to each old community. Ms. Sperlin recognized that funding is of concern, but the General Plan is a long-range document, so current fiscal situations should not limit General Plan policies.

Grace Marvin, the Conservation Chair of the Sierra Club Yahi Group, urged the Board to support a separate element for cultural resources.

Refinements to the Preferred Land Use Alternative

Don Swartz suggested that there is an opportunity for economic development along Highway 99 near the Skyway. This opportunity can be preserved by applying the Research and Business Park (RBP) designation east of Highway 99 close to the Skyway, up to the 500-foot elevation. Mr. Swartz highlighted the 700-acre Stillwater Business Park in Redding, which is a similar size and concept to his plan; that business park is targeting businesses from Southern California. Butte County should look at this example. Mr. Swartz believes that his property is suitable for the RBP designation, and he owns adjacent land where environmental issues can be

mitigated. This action would preserve the economic opportunity for the County, and would give the County an upper hand with the City of Chico.

Ernesto Alvarado owns an approximately 40-acre parcel north of Durham that is currently zoned A-5. The increase to 40-acre lot sizes in the OFC designation does not make sense for his parcel because it is surrounded by 5-acre parcels, making his parcel not viable for agriculture uses, especially because of the need to use a buffer when spraying. Although he is not planning to develop this parcel anytime soon, he would like to preserve that opportunity for the future. In addition, he has considered building a processing facility on his parcel, but current regulations do not allow that use.

Bob Kromer requested that the Chico Area Greenline be changed to follow the edge of the Bell Muir Study Area, with the required 300-foot buffer on the urban side. In addition, he requested that the Rural Residential designation in this study area be changed to Very Low Density Residential. With his recommendations, there would be 22 acres of agricultural buffer along the Bell Muir Study Area; a Rural Residential buffer is not needed.

Jay Oman expressed frustration at the changes recommended for the Preferred Land Use Alternative. The changes recommended for the property that he represents (Study Area 13) are major, not just a simple refinement. The Preferred Alternative had previously designated his study area for Planned Unit Development (PUD), and it is now proposed for Grazing and Open Land with a Specific Plan overlay. In his experience, Mr. Oman has found that a specific plan process is more cumbersome than a PUD process. He requested that the Board not approve this change.

Mark Adams agreed that a specific plan process is more difficult than a PUD process. He and Mr. Oman have already submitted a PUD application. The change to a specific plan would also affect the Tuscan Ridge area, which is not appropriate given the simple nature of the project. In the Paradise Urban Reserve, a whole specific plan would be required, instead of individual projects. Mr. Adams also believes that the increase in agricultural parcel sizes in the Durham area is onerous, and does not reflect the existing Durham Dayton Nelson Area Plan. Finally, in the Stringtown Mountain Study Area, Mr. Adams noted that there are some errors; there are parcels under the same ownership with different land use designations.

Michael Evans stated that there are huge differences between a specific plan and PUD. Mr. Evans requested that the existing FR-10 designation along Lake Wyandotte be maintained, and that it not be included in the Stringtown Mountain Specific Plan. He also noted that the Sierra Vista subdivision should not be included in the Stringtown Mountain Specific Plan, and that some privately owned parcels have been designated Public in the northern portion of the study area. Finally, there are several Resource Conservation areas with private homes. Mr. Evans requested that the public have more time to review this map.

Jim Bishop supports the unique agriculture overlay, since it allows for managing the special needs of foothill agriculture.

Jeanne Cecchi supports the preferred land use alternative and unique agriculture overlay. The foothill area is known to support small-scale agriculture, and there is interest from Napa Valley winemakers in this region.

High density housing creates a strain on County services and infrastructure, while agriculture provides fire breaks. Ms. Cecchi requested that the County allow others to have the opportunity to create successful small-scale agriculture in the foothills.

Cindy Mills lives in Study Area 23 and owns a pumpkin farm. The area should be kept as a primarily agricultural and ranching area.

Bruce McClintock requested that the retail overlay be applied to downtown Nord. He also requested that agricultural parcels that are surrounded by residential uses be allowed to subdivide.

Sue Seropian expressed concerns about development in Study Area 13. There are many constraints, including slopes, cultural resources, habitat, water supply and fire risk. Cluster housing is not appropriate in areas of high fire risk.