

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — October 19, 2010
Chico Municipal Center, Council Chamber, 421 Main Street

- 1.1. **CLOSED SESSION** - 5:30 p.m.
- 1.2. **JOINT CITY COUNCIL/PLANNING COMMISSION MEETING** - 6:30 p.m.
- 1.3. Call to Order - 6:30 p.m. in the Council Chamber, 421 Main Street
- 1.4. Flag Salute
- 1.5. Invocation — Pastor Scott Dowell, Sonrise Christian Center
- 1.6. Roll Call
- 1.7. Closed Session Announcement
- 1.8. Moment of Silence for Roger Williams, retired Chico High School principal who passed away October 11, 2010. Retiring in 2003, after serving 22 years as principal, Mr. Williams was recognized throughout his profession, earning such awards as the Chico Community Peacemaker Award, the state CIF Distinguished Service Award, Rotary's Paul Harris Fellow award, and the Association of California School Administrators High School Principal of the Year award.

The City Council will take action on the Consent Agenda and Item 4.1 of the Regular Agenda prior to the Joint City Council/Planning Commission meeting

2. **CONSENT AGENDA** – All matters listed under the Consent Agenda are to be considered routine and enacted by one motion.
 - 2.1. **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING AMENDMENT NO. 3 TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CHICO AND MERIAM PARK, LLC., AFFECTING CERTAIN PROPERTIES LOCATED GENERALLY NORTH OF EAST 20TH STREET, SOUTH OF STATE HIGHWAY 32, WEST OF BRUCE ROAD, AND EAST OF BEDFORD DRIVE; AP Nos. Various (DA 05-02); (CITY OF CHICO/MERIAM PARK, LLC) - Final Reading and Adoption**

Adopt - an ordinance which amends the Development Agreement between the City of Chico and Meriam Park, LLC (DA 05-02). The amendment would specifically exclude a 4.3 acre site that the State intends to acquire for the purpose of constructing the North Butte County Superior Courthouse. This ordinance was introduced by the Council at its meeting of 10/05/10. ***The Planning Services Director recommends adoption of the ordinance by reading of its title only.***
 - 2.2. **ADOPTION OF A RESOLUTION AMENDING SECTION 2R.04.180, ENTITLED "CONFLICT OF INTEREST CODE" OF THE CHICO MUNICIPAL CODE**

Adopt - a resolution which amends that portion of the City of Chico's Conflict of Interest Code which lists the required disclosure categories of designated city officials and employees pursuant to the requirements of the Political Reform Act. ***The HR/RM Director recommends adoption of the resolution.***

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING SECTION 2R.04.180, ENTITLED "CONFLICT OF INTEREST CODE" OF THE CHICO MUNICIPAL CODE
 - 2.3. **ACCEPTANCE OF WORK PLAN FOR A COMPREHENSIVE UPDATE OF TITLE 19**

Accept - a Work Plan for the Comprehensive Update of Title 19. Phase I of the Work Plan consists of Title 19 amendments necessary to implement the General Plan in Spring 2011. Phase II involves remaining amendments to Title 19 that have been identified over the past years or are directed by General Plan action items. ***The Planning Services Director recommends that the City Council accept the Work Plan for the Comprehensive Update of Title 19.***

ITEMS REMOVED FROM CONSENT - if any

3. **NOTICED PUBLIC HEARINGS**

4. **REGULAR AGENDA**

4.1. **CHICKENS IN RESIDENTIAL AREAS: DISCUSSION OF POTENTIAL MUNICIPAL CODE AMENDMENTS AND ADJUSTMENT IN USE PERMIT APPLICATION FEES**

Review of prospective amendments to the Municipal Code and/or adjustments in Use Permit application fees to streamline permits for chickens in the R1 (Single Family Residential) zoning district. **(Report - Mark Wolfe, Planning Services Director)**

Recommendation — The Planning Services Director recommends adoption of the following resolution which would amend the City's Fee Schedule to establish a reduced Use Permit Application fee for Chickens in the R1 zoning district for a period of 60 days:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE CITY'S FEE SCHEDULE (AMENDMENT NO. 325 TO PLANNING FEES)

JOINT CITY COUNCIL/PLANNING COMMISSION MEETING

4.2. **CHICO 2030 GENERAL PLAN UPDATE – ELEMENT REVIEW FOLLOW UP**

At this meeting the City Council and Planning Commission will reexamine several topics previously discussed during review of the individual elements of the draft General Plan. Topics include the future plans for the Bell Muir Special Planning Area (SPA) and the Estes triangle, consistency of the 2030 Land Use Diagram with the Butte County Airport Land Use Commission's Airport Land Use Compatibility Plan, as well as other issues that Council and Commission may wish to revisit. This meeting is an opportunity for members of the community to provide input, and the Council and Commission will provide direction for revisions to the draft 2030 General Plan. **(Report - Brendan Vieg, Principal Planner)**

Recommendation — The Planning Services Director recommends that the City Council and Planning Commission accept staff's report and provide direction to the project team on the future plans for the Bell Muir Special Planning Area (SPA) and the Estes triangle, consistency of the 2030 Land Use Diagram with the Butte County Airport Land Use Commission's Airport Land Use Compatibility Plan, as well as other issues that Council and Commission may wish to revisit.

4.3. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA**

5. **BUSINESS FROM THE FLOOR**

Members of the public may address the Council at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Council cannot take any action at this meeting on requests made under this section of the agenda.

6. **REPORTS AND COMMUNICATIONS**

The following reports and communication items are provided for the Council's information. No action can be taken on any of the items unless the Council agrees to include them on a subsequent posted agenda.

- 6.1. Letter dated 10/04/10 from Wayne Cook requesting the City Council discuss the renewal/extension of the franchise agreement for the Downtown Chico Business Association Thursday Night Market.

7. **ADJOURNMENT**

Adjourn to November 2, 2010 at 5:30 p.m., in Conference Room 2 if a closed session is scheduled, followed by a regular meeting in the Council Chamber at 6:30 p.m.

CLOSED SESSION

Chico Municipal Center, Conference Room #2, 421 Main Street

1. **CALL TO ORDER**

1.1. Roll Call

1.2. Staff Present

2. **CLOSED SESSION MATTERS**

2.1. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney will review the following case: *California Sportfishing Protection Alliance v. City of Chico, et al.*, U.S. District Court, Eastern District, Case No. 2:10-CV-01347-MCE-KJM, pursuant to subdivision (a) of Government Code section 54956.9.

2.2. **CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION:** The City Attorney will review the following: *Danford A. Jay and Sandra R. Jay, individually and as trustees of the Jay Family Trust v. City of Chico, et al.*, Butte County Superior Court Case 145202, pursuant to subdivision (a) of Government Code section 54956.9.

2.3. **CONFERENCE WITH LABOR NEGOTIATOR**

(Gov. Code Sec. 54957.6.)

Negotiator: Dave Burkland, City Manager and Teresa Campbell, Director of Human Resources

Employee Organizations: Management Employees, United Public Employees of California (Confidentials), Public Safety Management Employees, Chico Police Officers' Association, Chico Public Safety Association, International Association of Firefighters, Service Employees International Union (Trades and Crafts Unit and Clerical, Technical and Professional Unit).



3. **ADJOURNMENT**

Adjourn to a City Council meeting in the Council Chamber.



Council/Commission Agenda Report Meeting Date: October 19, 2010

TO: City Council and Planning Commission

FROM: Brendan Vieg, Principal Planner (879-6806)
Meredith Williams, Associate Planner (879-6813)

RE: CHICO 2030 GENERAL PLAN UPDATE (ELEMENT REVIEW, FOLLOW UP ITEMS)

REPORT IN BRIEF

The purpose of this meeting is to reexamine several topics previously discussed by Council and Commission during their review of the individual elements of the draft 2030 General Plan. Topics to be discussed include the future plans for the Bell Muir Special Planning Area (SPA) and the Estes triangle, consistency of the draft 2030 General Plan with the Butte County Airport Land Use Commission's Airport Land Use Compatibility Plan, as well as other issues that Council and Commission may wish to revisit. Public comment letters received prior to this meeting are provided in **Attachment A at stamped page number 06**. Policy direction from Council and Commission at this meeting is critical to refining and improving the General Plan as it moves toward final adoption in 2011.

Recommendation:

The Planning Services Director recommends that the City Council and Planning Commission accept staff's report and provide direction to the project team on the future plans for the Bell Muir Special Planning Area (SPA) and the Estes triangle, consistency of the 2030 General Plan with the Butte County Airport Land Use Commission's Airport Land Use Compatibility Plan, as well as other issues that Council and Commission may wish to revisit.

FISCAL IMPACT

The City's General Plan consultant budget of \$1,543,838 is being paid according to the terms of the Professional Services Agreement. To date, the consultant has been paid \$1,450,593. Staff is reviewing invoices as they are received to ensure that all required tasks will be completed within the remaining budget of \$93,245.

BACKGROUND

Over the past five months, the project team has met with the Council and Commission to review each element of the draft Plan. This report addresses three topics that the project team would like to receive additional Council and Commission direction.

BELL MUIR SPA

The Bell Muir Special Planning Area (SPA) is approximately 400 acres located in the northwest quadrant of the community (see **Attachment B at stamped-page number 20** for an aerial of the Bell Muir area). It is estimated that up to 250 acres of developable land remains in the area dispersed across undeveloped parcels between 10 and 40 acres. The area has a long history of small-scale agricultural and rural uses and contains prime agricultural soils. The fact that much of the area is

developed with rural residential uses makes future development at higher densities and integrating a complete neighborhood approach difficult.

The planning concept for Bell Muir currently contained in the draft 2030 General Plan is to integrate single-family residential development where opportunities exist, with an estimated build-out potential of approximately 650 units. The planning framework for Bell Muir directs that future planning integrate small-scale farming, develop design guidelines and buffering requirements to address rural/urban interfaces, address infrastructure needs with particular attention to storm drainage and circulation, and develop special rural lighting and street standards.

At the June 22nd joint Council/Commission meeting, the community, Commission, and Council shared thoughts on the future of the Bell Muir area. There was significant feedback and general concurrence that it is important to retain the rural character and agricultural uses of the area. There were many suggestions on how to achieve this goal while simultaneously allowing some level of single-family development, including reserving a portion of the conceptual land use plan for agriculture uses, lowering densities, and creating a new residential-agriculture land use designation.

Given the interest in retaining the Bell Muir area's rural character, Council may wish to consider removing Bell Muir as a Special Planning Area (SPA), and not including it in the City's proposed Sphere of Influence. Under this scenario, any future development in the area would occur under Butte County's new General Plan.

Below are supporting points for removing the Bell Muir SPA from the draft 2030 General Plan:

- Retaining the area's rural feel and agriculture uses would be more likely realized by leaving the area in the County. Due to the costs involved, the extension of City infrastructure and services would increase pressure for development at urban level densities.
- Without City involvement, the Bell Muir area will still increase the community's housing stock. As part of its General Plan Update, Butte County has increased development potential in the area from 0.2 units per acre to 1 unit per acre. This increase in density will provide an opportunity for interested landowners to develop additional housing stock for the community, just not at urban densities. Under this scenario, it is more likely that existing agricultural operations will continue, and that even where new 1-acre parcels are created, that some form of small scale agriculture will exist.
- Bell Muir has never been seen as a major housing opportunity due to the fractured ownership and the fact that major portions of the area are already built out at rural densities. Further, because there is no single large landowner interested in developing the area, there may be an expectation that the cost to plan and provide infrastructure to the area would be fronted by the City. If the Bell Muir SPA is retained, the project team suggests that Council direct the inclusion of additional policy language specifying that the cost for planning be bore by those interested in developing the area at such time there is sufficient interest.
- The goal of community access to locally grown food does not need to be realized within Chico's city limits. Bell Muir is a perfect example of appropriately located small-scale agriculture.

Below are supporting points for retaining the Bell Muir SPA in the draft 2030 General Plan:

- Over the long term, development of the Bell Muir SPA within the City would provide housing stock for the community at greater densities than the County and therefore would result in more efficient use of land.

- Including the Bell Muir SPA in the City's Sphere of Influence would ensure that the City has a role in determining the area's future build out.

ESTES TRIANGLE AREA

The Estes triangle, shown in **Attachment C** at **stamped-page number 21**, is the area to the east of the Union Pacific Railroad (UPRR) main line that was originally part of the Macintosh/Estes SPA considered in Land Use Alternatives A and B. The area consists of thirteen parcels on the agricultural side of the Greenline, outside the City's Sphere of Influence, in agricultural and residential use. Following significant discussion, Council chose not to include this area in the Preferred Land Use Alternative which later became the draft General Plan Land Use Diagram. During the June 22nd joint meeting to review the Land Use Element, however, several Council members expressed interest in continued study of the Estes triangle as the next logical growth area if needed within the planning horizon. Those interested in such study noted its proximity to services, employment centers (and Downtown), its being on the City side of the UPRR line, and a landowner request as support for reconsideration of this growth area.

At the June meeting, Council discussed two options for considering the area in the General Plan: 1) to plan it, or 2) to study it. Planning the Estes area would have meant assigning land use designations with corresponding development assumptions that would be included in the General Plan environmental review. The project team expressed concern that planning the Estes area would require additional time and funding. For this and other reasons, Council directed the project team to study the area rather than plan it. The project team has drafted an Action directing the study of the area that could be added to the Land Use Element as follows:

Action LU-2.1.1 (Estes Triangle) - If the land supply for jobs or housing is shown to be limited at the time of a General Plan five-year review, prioritize the Estes triangle (bound by the UPRR main line, rail spur line, and Comanche Creek) as a study area for future City growth. In studying the area, work with landowners and stakeholders to explore alternatives that consider its current agricultural operations, proximity to the UPRR line, Downtown, and the southwest industrial area.

If included, the Action would introduce the Estes triangle to the General Plan as an area to consider for future growth, but not as a Special Planning Area or an Opportunity Site, and the area would not be included in the City's proposed Sphere of Influence.

The project team believes that including a reference to the Estes triangle may add confusion about the timing and purpose of studying the Estes area, whereas excluding the area from the General Plan would not prohibit Council from studying the Estes triangle as a growth area in the future. Whether a reference to the Estes triangle is included in the General Plan or not, there would be a significant effort necessary to add the area to the City's land inventory, including a Sphere of Influence update, a General Plan Amendment, and comprehensive environmental review. Due to a potential for ambiguity of the area's role in the General Plan, the community's clear desire to retain the Greenline, as well as the interest in maintaining the area for small scale farming, the project team recommends not including the draft Action above, and not addressing the Estes triangle at all in the 2030 General Plan.

ALUC CONSISTENCY DETERMINATION

On October 6, 2010, the Butte County Airport Land Use Commission (ALUC) reviewed the draft 2030 General Plan for consistency with the Butte County Airport Land Use Compatibility Plan (ALUCP). The ALUC was very receptive to the General Plan and agreed that the Goals, Policies and Actions in several elements would resolve most of the inconsistencies with the ALUCP. Particular attention was given to Action LU-7.1.1, which calls for the implementation of overlay zoning districts that will apply development restrictions (e.g., density or use limitations) which mirror those in the ALUCP. This Action is substantially similar to a policy in the updated Butte County General Plan that was recently used as a basis to find it consistent with the ALUCP.

A few remaining items require additional attention for the draft General Plan to be deemed consistent. First, the ALUC expressed support for consolidating the C consistency sub-zones, C-1 and C-2, around the Chico Municipal Airport, and scheduled this amendment to the ALUCP for the November 17, 2010 meeting. This consolidation meets the intent of Action LU-7.1.4, and would allow the property designated Medium High Density Residential and Low Density Residential on the north side of Eaton Road, southwest of the Chico Municipal Airport, to develop at a density greater than 4 units per acre. Once approved by the ALUC, this action removes the single largest inconsistency between the ALUCP and the draft General Plan.

Second, the ALUC agreed to add two additional infill properties to the list of sites subject to the 2005 infill agreement between the City and the ALUC, which allows residential infill sites less than five acres to develop at a density less than or equal to the single most densely-developed property within 300 feet. The addition of the infill properties is also scheduled for the ALUC's November 17, 2010.

Lastly, the Land Use Element will need to be modified to give equal protection to the Ranchoero Airport. The draft General Plan policy framework regarding airport compatibility was written with a focus on the Chico Municipal Airport, but the ALUCP also applies to the private Ranchoero Airport. During the meeting, the ALUC expressed concern that insufficient protection was provided for the Ranchoero Airport. To support a consistency determination, staff will modify the policies and actions related to Land Use Goal 7 to apply to both airports.

At the conclusion of the October 6th meeting, the ALUC continued the consistency review of Chico's draft General Plan to November 17, 2010, when the above changes will be presented. As indicated in a letter from ALUC staff to the City (**Attachment D at stamped-page number 22**), County staff believes that with the above changes, the Butte County Airport Land Use Commission at its November meeting will find the Chico 2030 General Plan consistent with the Butte County Airport Compatibility Land Use Plan.

PUBLIC CONTACT

A large display ad notice for the meeting was published in the Chico E-R. An e-blast highlighting the meeting topic, place and time was sent to a distribution of over 10,000 recipients. Finally, the staff report and all background supporting materials are available on the City's dedicated General Plan website (www.chicogeneralplan.com).

Reviewed by:


Mark Wolfe, Planning Services Director

Approved by:


David Burkland, City Manager

DISTRIBUTION:

City Clerk (18)
Planning Commission (7)
General Plan Advisory Committee (10)
Pacific Municipal Consultants (2)
PP-Vieg
AP-Williams
Supervisor Dolan (Hand Delivery)
Supervisor Kirk (Hand Delivery)
Supervisor Lambert (Inter-Office)
Duke Warren/Landowner
Emily Alma/Riparia

ATTACHMENTS:

- A. Public Comment Letters
- B. Aerial Map of the Bell Muir Special Planning Area
- C. Map of the Estes Triangle Area
- D. October 6th Letter from the Airport Land Use Commission

Brendan Vieg - Re: Estes Triangle

From: Lynda Cameron
To: Richard H. Roth
Date: 09/27/2010 10:07 AM
Subject: Re: Estes Triangle

Dear Richard,
 Thank you for your email, I will make sure the Planning Commission and staff receive a copy.

Lynda Cameron, Admin. Analyst
 City Clerk's Office, City of Chico

 530-896-7253 - office
 530-896-7298 - fax
lcameron@ci.chico.ca.us

>>> "Richard H. Roth" <richard@digitido.com> 9/27/2010 8:48 AM >>>
 To the Chico City Council

Preserving the Estes Triangle is one step in a long road of policy solutions that must be implemented if we are going to - stop failing our community, if we are going to - stop killing our kids.

As the founder and Executive Director of cChaos, a 501(c)3 nonprofit we are daily faced with the public policy hurdles to bringing opportunities for healthy lifestyle change to our community. Policy is stacked in favor of sickness and debilitation.

I believe that locally grown food, field to table, vegetable of the month, farmer of the month, school gardens, local and fresh produce based school lunch programs, home and community gardens, and extensive nutrition education - and exercise opportunities - are essential parts of the solution. Much education groundwork has been accomplished, but both professional and volunteer efforts are consistently hamstrung by the lagging public policy of our institutions and social customs.

Right now Butte County has something like 12 farmers markets. That is perhaps more farmers markets per-capita than any other county in the nation. Many of these markets, like the ones I manage, are struggling. The problem though is not too many farmers markets, but not enough customers in those markets, and not enough farmers to produce and sell at those markets.

But while the number of Certified Farmers Markets is dramatically increasing, the age of the average farmer is also increasing. If current trends and the policies that control those trends remain the same, then we have long ago surpassed peak healthy food production. Unlike peak oil though, small scale sustainable produce production and delivery is a renewable resource. And the Estes Triangle is ideally positioned to serve as a nursery for growing just that kind of treatment and cure.

When I farmed at Riparia (10 years) I often had school visitors, preschool through post graduates, come and visit the farm, volunteer, etc. Many adults simply used it as a form of meditation to come out once a week or so and spend some time weeding or doing some other earthy chores. Always this was a form of meditation, healing and rejuvenation - and this connection to the earth, place and home was the missing link to their personal and individual health. Such relationships are a natural remedy to the ills of urban life and living.

A railroad track does not do the trick or work that magic.

ATTACHMENT A

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For decades I have accepted the premise that we need a buffer between Ag and City. That buffer is best constructed of small scale, farm to table food production units (small farms) that serve to instruct and inform consumers of the realities of agricultural life and provide a community connection with the earth and local natural environment and resources. And that is exactly how - at least some of the Estes Triangle has served the Chico Community for the last couple of decades.

For 10 years I farmed several acres next to Comanche Creek in the Estes triangle. I sold at several local Farmers Markets and formed the first and still longest operating CSA (Community Supported Agriculture) farm in Butte County (5 years). I know first hand how productive that rich and giving land is.

I urge you to preserve and celebrate the unique position of the Estes Triangle as an agricultural healing, education, and buffer resource for our community.

Richard H. Roth
richard@digitido.com

ph:(530)895-1672

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SEP 13 2010

CITY CLERK
CITY OF CHICO

Guthrie Smith
302 Salvas Rd.
Huntington, VT 05462
September 2, 2010

SEP 15 2010

Dear Chico City Council,

I am one of the landowners at Riparia Farm, on Estes Rd. I am currently living in Vermont, and was not able to sign the original letter that was sent to you recently from the Chico Coalition for the Preservation of the Greenline.

I oppose the Chico City council decision to study the Estes Triangle for urban and commercial development and ask you to omit this study from the 2030 Chico General Plan. I am in total agreement with the letter sent to you by the Coalition. The Chico Area Greenline was established 30 years ago to protect agricultural soils and the current gardening and farming here continues to support the argument for it to stay as it has been.

Rezoning this area will destroy the working farms already there. The soil here is loam, which retains nutrients and allows good water absorption. This is particularly favorable for agricultural uses. The farmers harvesting their fruits, veggies, and flowers don't have far to go to offer them to the community at the Farmer's Market, an asset not shared by many other farms selling at the Market. If the area were rezoned, heavy speculation would drive land prices/taxes up and would subsequently drive out the farmers

It doesn't make sense for the Estes triangle to be used for business or residential development. There is no sewage access, and a limited water supply. There are safety and noise issues, traffic problems - just observing over the years the flooding that has occurred in that area should be enough of a warning!

It would take a huge monetary burden for Chico to make the place suitable for urban/commercial development. Expensive sewage and water modifications as well as toxic cleanup will be required in order to make the area compatible for more people and businesses.

This is why I believe going ahead with the proposed study is a bad idea.

Thank you very much for including my statement,



Guthrie Smith
302 Salvas Rd.
Huntington, VT 05462

My family resided at Riparia from 11/88-9/98 and again in 2006-2008.
I am continuing my involvement with Riparia as an absent but still concerned partner.

8

DATE	9-13-10	AGENDA		COUN	7
ADD. INFO		CM	ACM	CA	
GSD	CPSD	ASD	CLK	PSD	
BDS	HR/RM	FIN.D	COP	FC	
HNSD	File		OTHER	PP	Viea

AP Williams

...to the Planning Commission * AA Masterson

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SEP 02 2010

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Chico Coalition for the Preservation of the Greenline
(530) 354-1646
srwilliams@holymonkey.com

DATE 9/2/10 AGENDA _____ COUN 7
ADD. INFO _____ CM ACM CA _____
GSD _____ CPSD _____ ASD _____ CLK _____ PSD
BDS _____ HR/RM _____ FIN.D _____ COP _____ FC _____
HNSD _____ File _____ OTHER PC Vlog _____

SEP August 30 2010 2010

Dear Chico City Council Member,

On June 22nd, 2010 the Chico City Council asked the Planning Commission to study the Estes triangle for residential and/or business development. This decision sets into motion the possible annexation of the Estes triangle. This is an encroachment beyond the Chico Area Greenline.

We oppose this decision and ask the Chico City council to omit this study from the 2030 Chico General Plan.

The Estes Triangle is the triangular area south of Estes Rd and east of the railroad tracks. During a review of the Chico General Plan on June 22rd, the Chico City Council voted to include a study of this area to the 2030 Chico General Plan Update. We take this matter seriously, since it is our understanding that the aim of the study is to make urban and commercial use of the agricultural side of the Chico Area Greenline

We ask that the study be taken out of the general plan for the following reasons:

The study breaches the Chico Area Greenline. The Chico Area Greenline was established 30 years ago to protect agricultural soils. It has not been broken in those 30 years.

The Estes triangle is home to Chico farms. Rezoning this area will destroy these farms.

There are two successful farms in the Estes Triangle. Bruce Balgooyen grows tomatoes, lettuce and other vegetables for market in this area (Photo 9). The produce grown at Bruce's farm is a cornerstone of the Saturday Farmer's Market. This farm is less than two miles from downtown Chico, and so Bruce is able to make trips between the market and his farm in order to restock his produce on busy market days.

The second farm is the GRUB CSA (Growing Resourcefully Uniting Bellies, Community Supported Agriculture). The area of production is 4.5 acres split between Riparia and Dayton Road, and the window for food production is between April and late December. When not row-cropping 25-30 varieties throughout the year, GRUB grows pollinators, beneficials or cover crops for soil fertility and to help the ecosystem of their farm.

GRUB provides food to 70 families in the Chico area. It also sells produce at the Chico Certified Farmer's Market on Wednesday mornings, and in the Thursday night Down Town Farmer's Market. Moreover, their one mile distance from town and steeped involvement in outreach, GRUB in general has become "the heartbeat of Chico," according to Theo Badashi, previous Board member of Chico Natural Foods Co-op, and current designer, consultant, and community advocate (Photos 10 & 12).

There is also a goat farm in the Estes Triangle (Photo 2).

The Estes triangle contains deep sandy loam soils. Loam is ideal for gardening and agricultural uses because it retains nutrients well and retains water while still allowing the water to flow freely. This is

some of the world's best soil, and turning this soil to development would ruin it forever.

The proposed study would increase speculative interest in the Estes Triangle. This speculative interest often leads farmers to sell their farm land at a price that is much higher than the income they could generate in a reasonable amount of time. As such, the study threatens our farms.

Should the study proceed, and the Estes Triangle rezoned, farming would become all-but impossible in this area, due to increased property taxes and heavy speculation. This would be the end of some of Chico's most productive and visible farms.

The Estes triangle is not suited for business or residential development. There are a multitude of concerns that make this area unsuitable for residential or business development:

- a. Sewage. The Estes triangle region has no sewage access. Costs to run sewage out to the Estes Triangle would be prohibitive.
- b. Providing adequate water to residences in the Estes area.
- c. Ditch. This is a health hazard and is not allowed for residentially zoned areas. There have been no plans for fixing this issue and the costs for the city to fix this issue are prohibitive (Photo 8).
- d. Compatibility and Safety with trains. At the point where the railroad and the spur come together there are unusable parcels of land. Also, there is a loud railroad running day & night.
- e. Traffic access. The only traffic access into the Estes Triangle is through 22nd street and Normal Street. These streets are not suitable for major traffic. The road is currently uncared for. It has many potholes and floods every heavy rain. It doesn't have a center stripe and has two 90 degree turns into and on Estes (Photos 1 & 6).
- f. There is a long history of dumping and vandalism on the abandoned right of way (Photo 3).
- g. The area has some unusable parcel sizes (Photo 4).
- h. Toxic cleanup will be required for some of the remnants from commercial uses (Photos 5 & 7).

Addressing these issues would incur a large financial burden on the city of Chico, and so developing in this area would be fiscally irresponsible.

Counter arguments to arguments in favor of the study:

"The Estes triangle is a "spur", or an "anomaly" of the Chico Area Greenline, and needs to be fixed."

When the greenline was established, it was in fact very carefully considered. All parties involved walked along the greenline and deliberated every turn. The Estes Triangle was no mistake, but was consciously selected to be used for agriculture just like all other parts of the greenline. As can be seen in the attached map, there are many "spurs" and "anomalies" to the greenline, which were all consciously selected (Photo 11).

"It is not possible to run a successful farm in the Estes Triangle"

The existence of successful farms in the Estes Triangle, as described above, proves that the Estes Triangle is viable for successful farming. The orchards that have been touted as examples were once in fact viable orchards that have been left untended. The soil at these sites is the same as the soil on the other farms in that area, still excellent for agricultural production.

"The Estes Triangle is right for commercial or residential development"

As shown above, there is no infrastructure for commercial or residential development in the Estes Triangle. There are public health issues, access issues, and issues of providing water and sewage to the area. The Estes Triangle is in no way suited for commercial or residential development, and the costs to make it viable are prohibitive.

We have the following questions:

How would the city of Chico provide Sewage? Who would be required to pay? Where would the trunkline come from? Would existing leach fields be grandfathered in?

How would the city provide water? There is a toxic plume from Victor Industries that runs under Diamond Match which also had a toxic plume. When was that last characterized and what does the city intend to do if they have to run water lines? From where? At what cost?

The Crouch Ditch was used for drainage throughout the life of the Diamond Match Company, about 80 years. It has never been tested for contaminants, and never disturbed. It has been unmaintained by the county and is full of debris also. What will be the status of the Crouch Ditch? Will the city study the safety of increased run off? Will the city maintain it?

What will the city do with that area between Diamond Match and the Estes Triangle? How will you provide bicycle connectivity as some have suggested? Does the city have any plans for this area?

High speed trains run day and night past the Estes Triangle. How would the city provide safety and mitigate against the noise? Has the city considered that there would be no other access except to the east and the safety risks of that?

Signed,

Chico Coalition for the Preservation of the Greenline.

Francis J. Inghel, Francine Stuebelnagel
Sherri Scott, Sherri Scott

Desiree Hatton, Desiree Hatton
Assistant Advocacy Director, BEC

J. R. Sheldon Praiser

Erin Almer
Nikki Schlaishunt, Nikki Schlaishunt
Admin. Dir. BEC

Michael Pike
Michael Pike
2300 B. Estes Rd. Chico

Christine Nelson
2300

Sue Hildbrand, EPSC

Stephen Elliot, Stephanie Elliott
Coalition for Greenline

Mr. [Signature], Tim Elliot

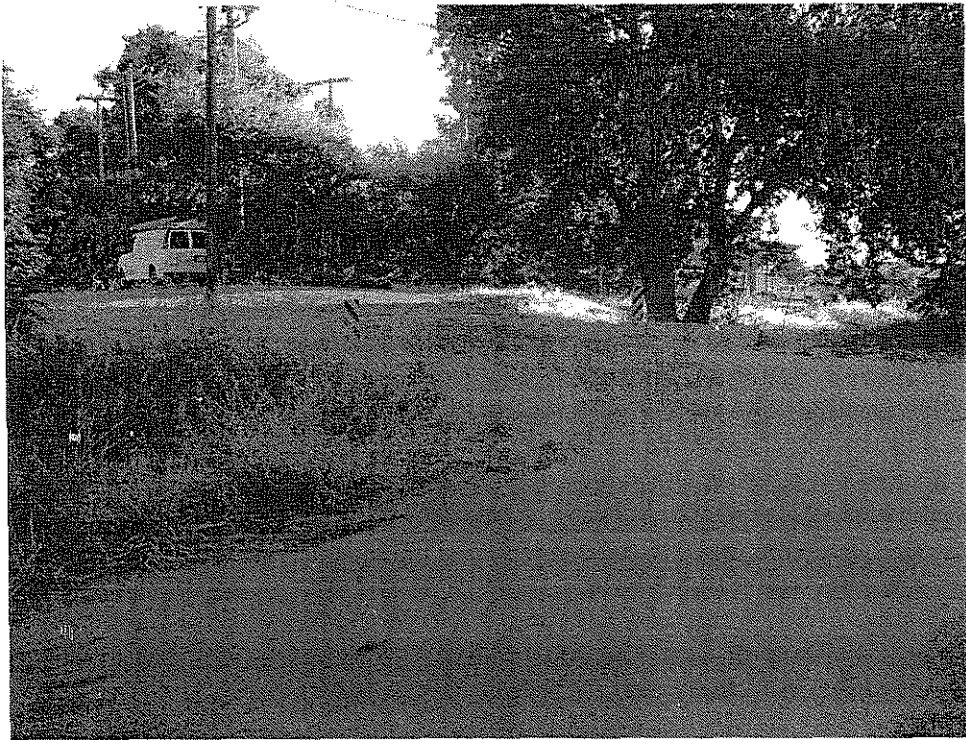


Photo 1 - Ninety degree turn at Normal St. and Estes.



Photo 2 - Goat Farm in the Estes triangle.



Photo 3 - Dumping and vandalism at the railroad.



Photo 4 - Unusable parcel size at the point of the railroad spur triangle.

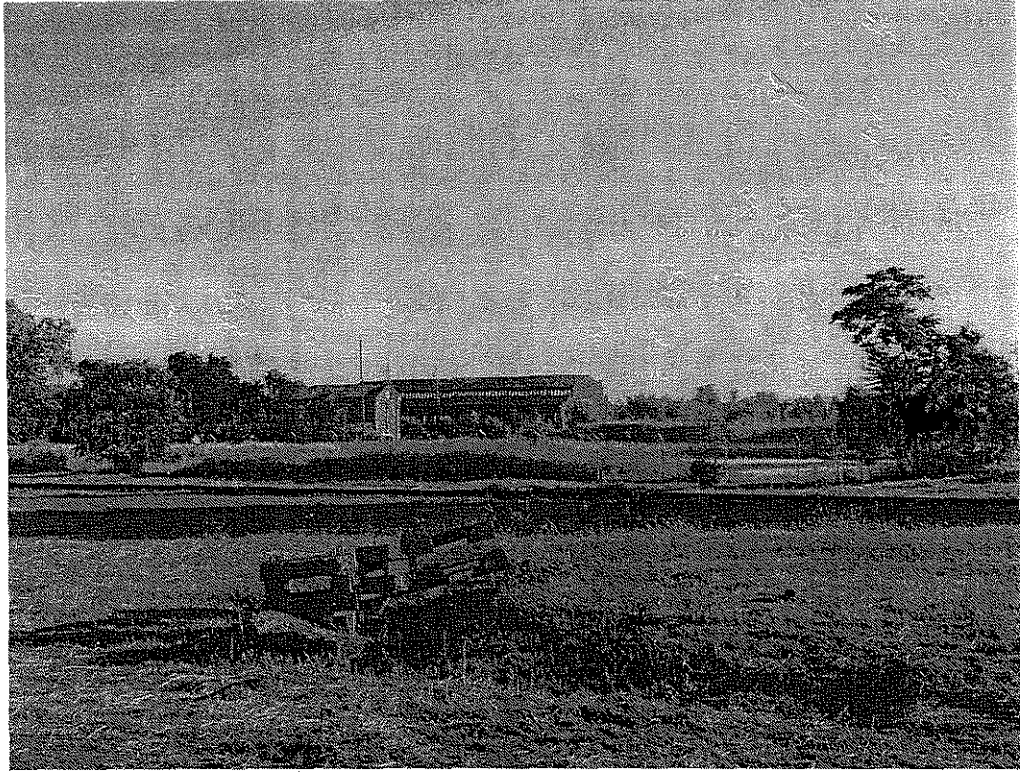


Photo 5 - Toxic ponding on Estes and toxics at the Estes ditch.

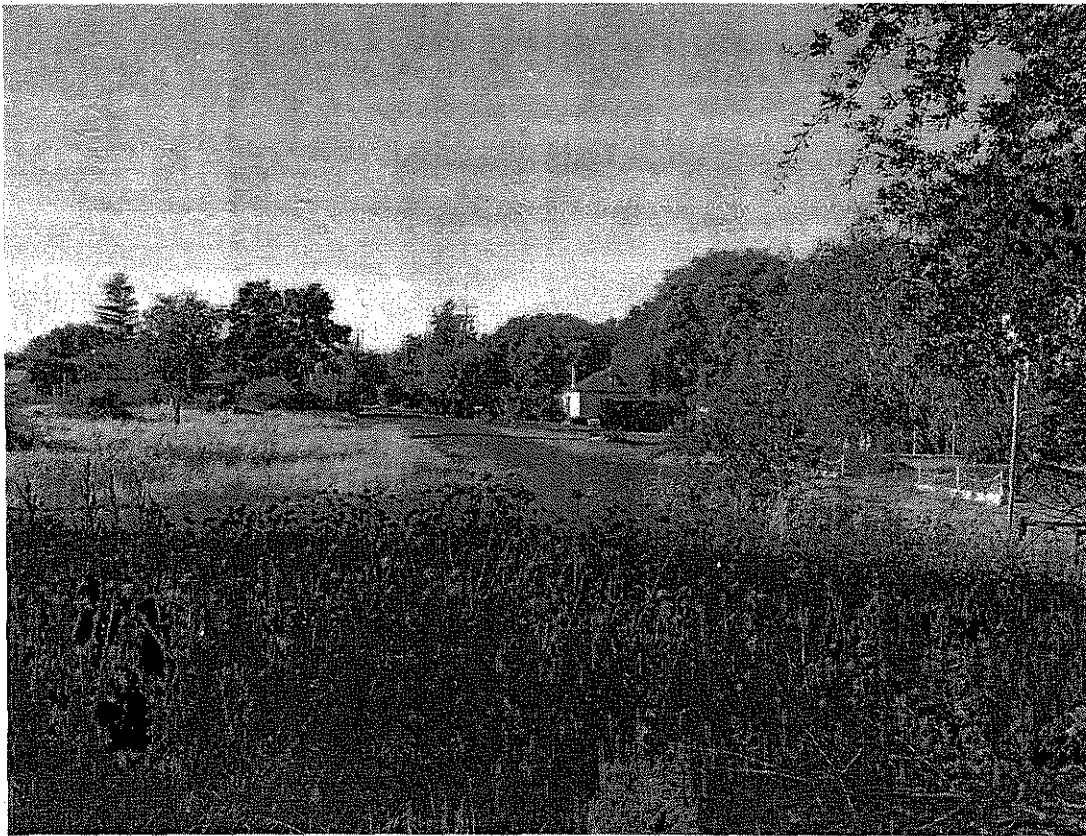


Photo 6 - Ninety degree turn on Estes.

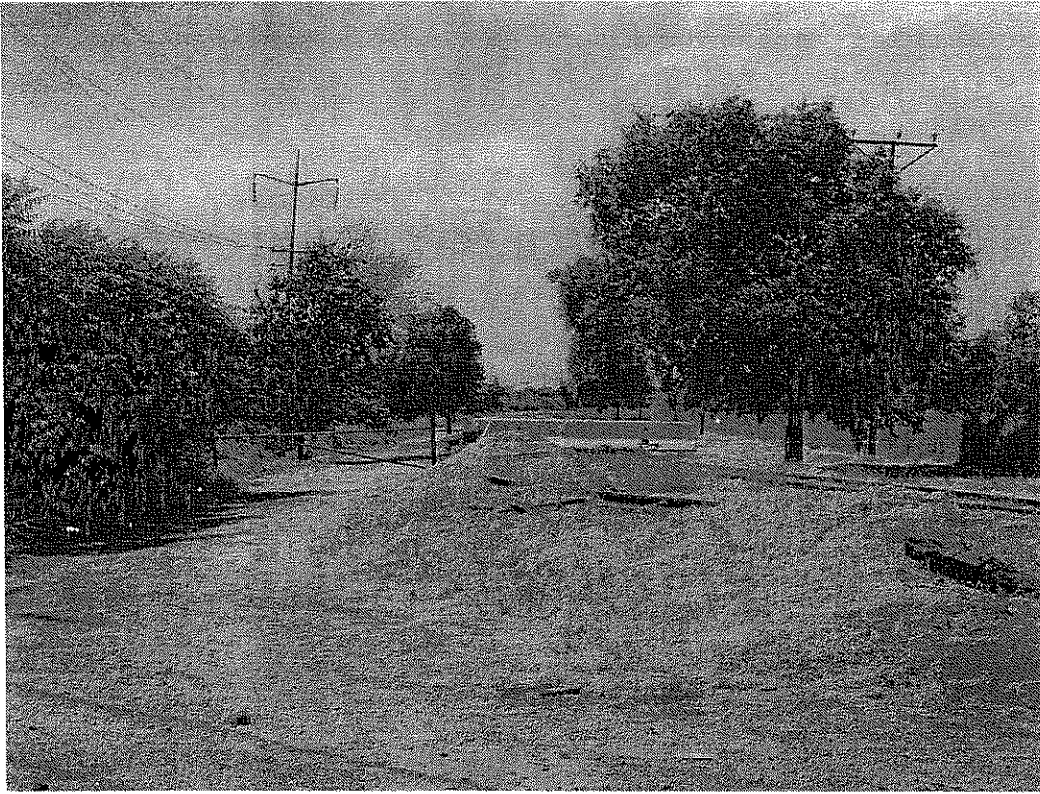


Photo 7 - Abandoned railroad spur adjoins arsenic railbed.

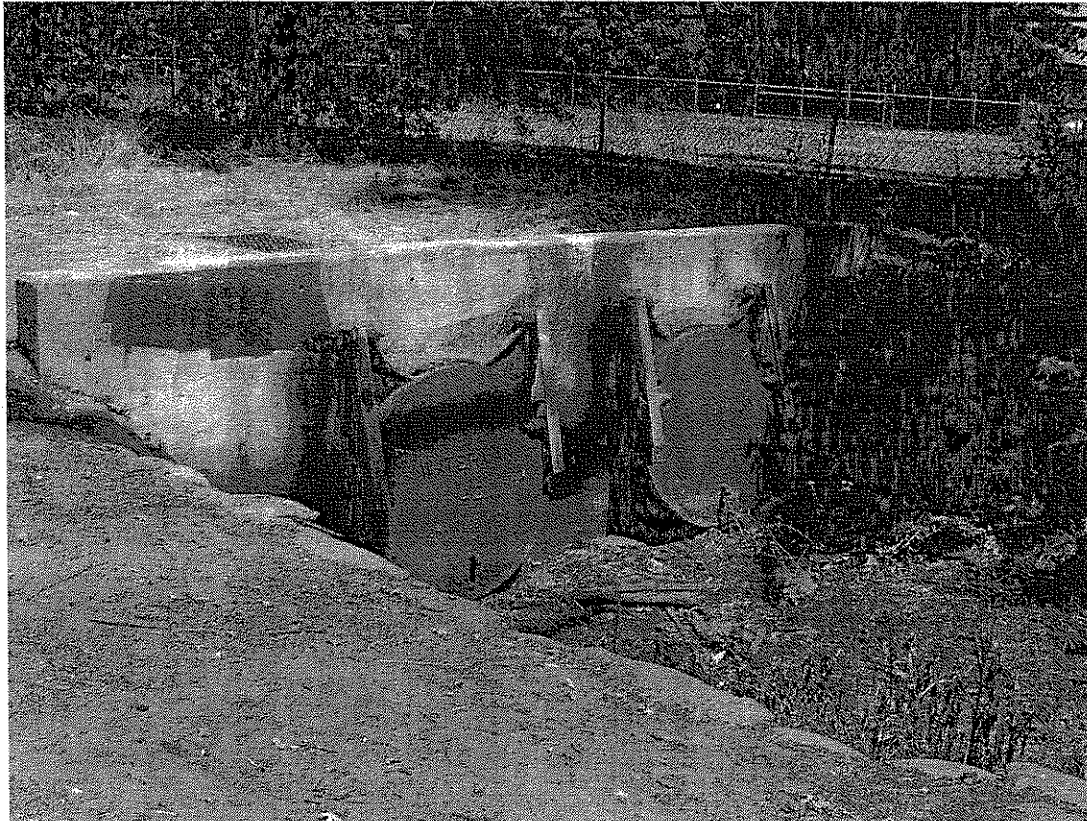


Photo 8 - Neglected ditch at 22nd and Normal.

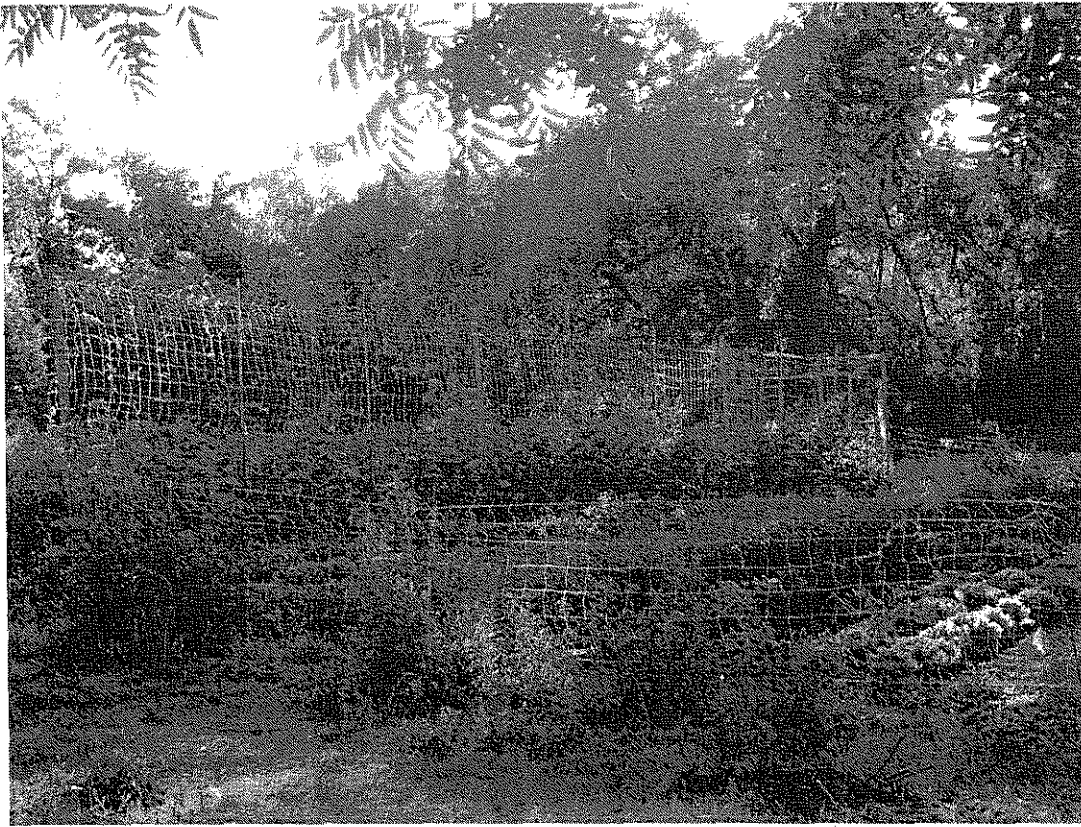


Photo 9 - Organic farm currently on Estes.



Photo 10 - GRUB Farm in the Estes triangle.

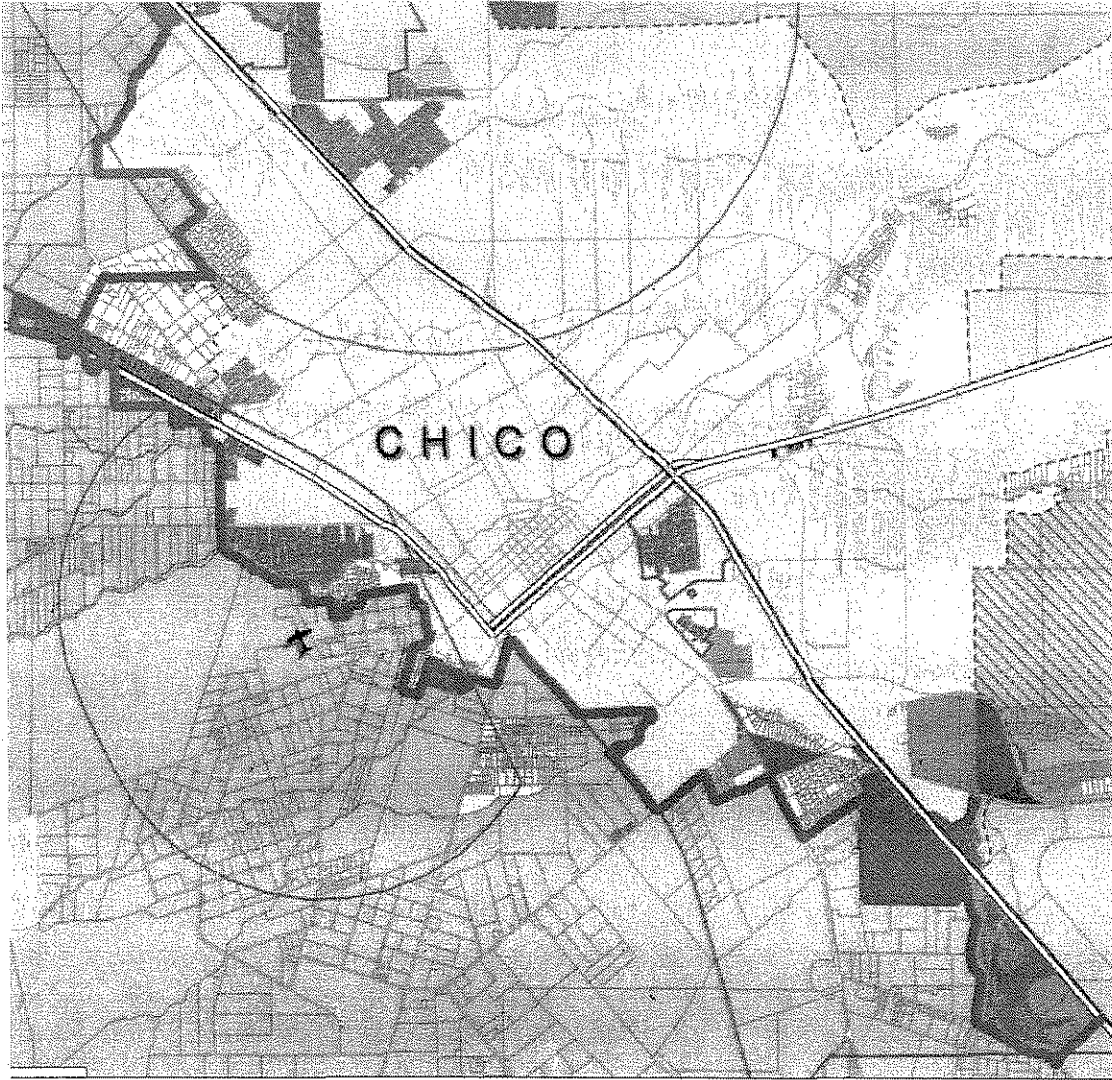
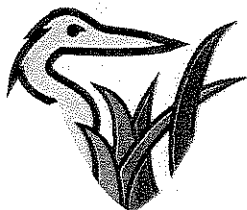


Photo 11 - Chico Area Greenline



Photo 12 - GRUB farm in the Estes triangle.

**Butte
Environmental
Council**



116 W. Second Street, Suite 3
Chico, CA 95928
(530) 891-6424
(530) 891-6426 FAX
www.becnet.org

Activities and Events

- Environmental Advocacy
- Environmental Education
- Groundwater Protection
- Endangered Species Faire
- Bidwell Park Cleanups
- Chico Area Creek Cleanups
- Recycling Referrals
- Wetlands Preservation

Staff

Nikki Schlaishunt
Administrative Director
Robin Huffman
Advocacy Director

Mary Muchowski
Education & Outreach Coordinator
Maggi Barry
Program/Administrative Assistant

Board of Directors

Jim Gregg, Chair
Pamela Posey, Secretary
Mike McLaughlin
John Scott
Mark Stemen

RECEIVED
OCT 12 2010
CITY CLERK
CITY OF CHICO

October 12, 2010

To: Chico City Council Members

Re: Greenline Comments for October 19th Council meeting

Dear City Council Members,

BEC supports keeping the Greenline intact, as is.

The Greenline represents our commitment to local agriculture as an important cultural heritage and a bountiful natural resource and, as such, is important to protect and preserve. In addition, local, small scale agriculture is a vital part of growing a sustainable community. The increase of the slow foods movement is fueled by an increasing awareness that the culture we currently have is not sustainable, and local agriculture is a vital part of a vision for a healthier, more stable and self-sufficient community.

The Chico General Plan 2030 draft EIR clearly states that the Greenline has been effective in influencing urban growth away from fertile agricultural land. This has resulted in a legacy of arable prime soils being in close proximity to Chico, which puts us in an excellent position to develop a very successful local foods movement here.

Making an exception in the Greenline boundary would send the signal that it is not a cohesive, stable policy, but more of a suggestion, open to any development plan.

Clearly, studying development proposals other than for agriculture is not the vision Chico has established in its Greenline policy. Chico should not give up even one more inch of Prime Farmland soil, which is what covers all the lands outside the Greenline.

BEC feels that the loss of the Greenline would result in lost opportunities to shape Chico growth in ways that are sustainable in a healthy and holistic sense. We urge you, the Chico City Council members to keep the current Greenline intact in the 2030 Chico General Plan.

Sincerely,

Nikki Schlaishunt
Administrative Director

Robin Huffman
Advocacy Director

19

DATE 10-12-10 AGENDA _____ COUN 7
ADD. INFO 10-19-10 CM ACM CA
GSD _____ CPSD _____ ASD _____ CLK _____ PSD
BDS HR/RM _____ FIN.D _____ COP _____ FC _____
HNSD _____ File _____ OTHER PP Vica

AP Williams
* AA Masterosa

FOLLOW-UP AMENDMENTS TO THE DRAFT GENERAL PLAN

from Commissioner Jon Luvaas

SUSTAINABILITY ELEMENT

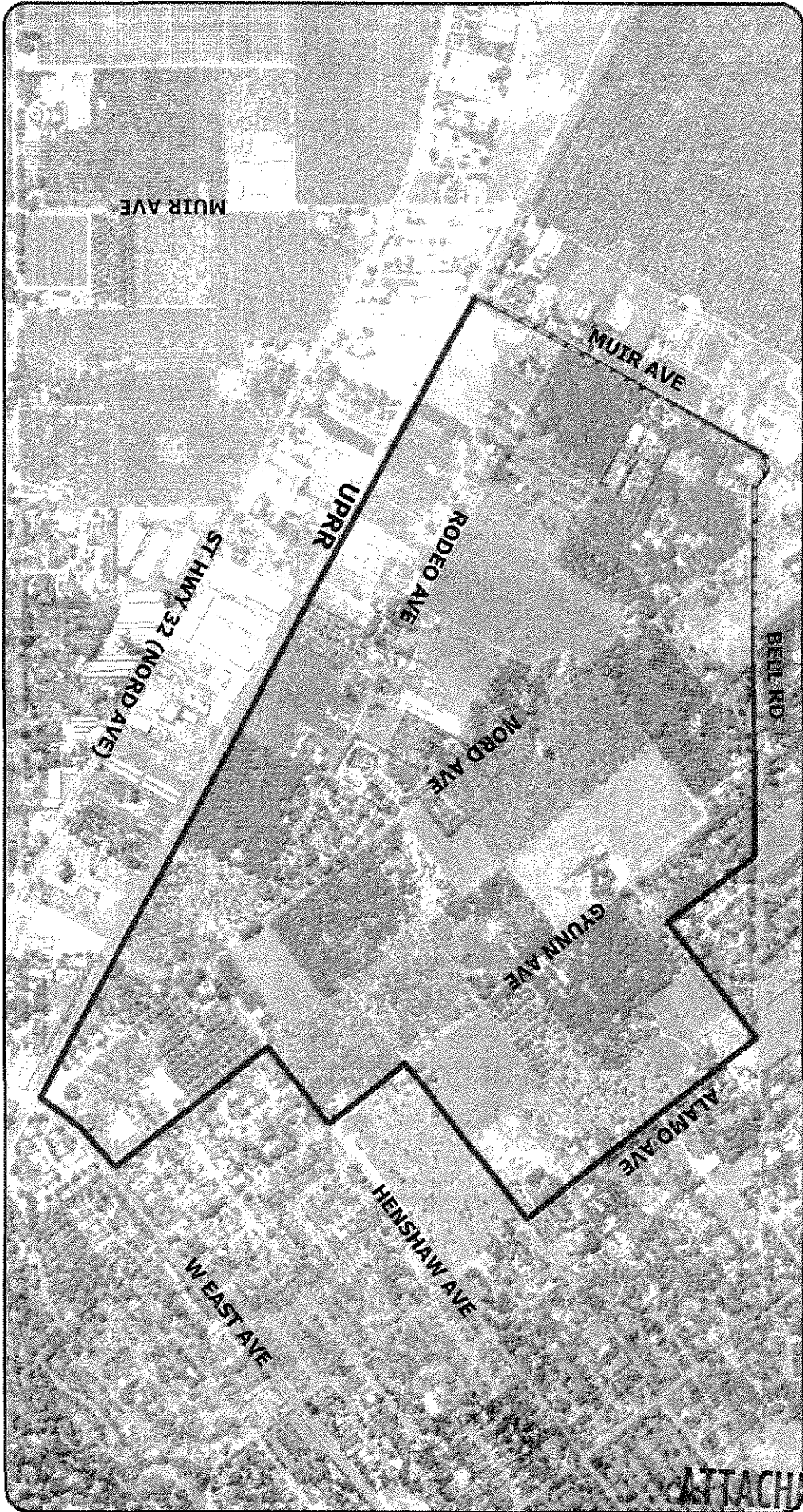
1. **ADD Action (Toxic Materials): (SUS-3.3.3) - Develop programs to reduce and ultimately eliminate wherever feasible the use of toxic materials in municipal operations.**
2. **ADD Action SUS-4.3.4 (Natural Stormwater Retention) - Adopt Best Management Practices to emphasize the use of pervious pavement and natural stormwater filtration and infiltration systems to support the health of urban area trees and creeks.**
3. **ADD Action SUS-4.3.5 (Reduce Construction Waste) - Adopt standards and guidelines to maximize recycling of construction waste.**

CIRCULATION ELEMENT

1. **ADD to introduction of Sustainable Circulation Plan (page 4-1/2)**
 - a. Chico's air quality fails to meet state and federal clean air standards and is considered a health hazard, partly as a result of vehicle miles traveled (VMT).
 - b. Additionally, the City's greenhouse gas emissions inventory found that 54% of greenhouse gas emissions are transportation-related.
 - c. In order to meet City goals to improve air quality and reduce citywide emissions, VMT must be significantly reduced.
2. **ADD to State or Regional Transportation Planning (page 4-3/4): Implementation of California's Senate Bill 375 requires local growth and transportation policies to avoid any increase of transportation-related greenhouse gas emissions and to reduce emissions over the next 20 years. State transportation funding will not be available for projects likely to increase emissions.**
3. **ADD Action CIRC-5.3.3 (Transit Fee) - Adopt mitigation impact fees for locations with limited access to transit, in order to improve transit, pedestrian, and bike routes and other means to reduce citywide vehicle miles traveled.**
4. **ADD Policy CIRC-9.3: (Trip Reduction) - Emphasize automotive trip reduction in the design, review, and approval of public and private development.**
5. **Vehicular Circulation Plan (Figure CIRC-1, following page 4-6)**
 - a. Add improved bike-ped connections between West Eaton, Shasta, the Esplanade, and Bay.
 - b. Midway-West Park Extension: Support Council member Gruendl's request for a comprehensive assessment of options to provide multiple benefits to the entire area, including connectivity of Meyers, the Wedge, Fair Street, the Midway, Hegan, Entler, 99, and the railroad ROW; Midway cleanup; park development; and enhanced business opportunities along the park, the Midway, Meyers, and in the Wedge.

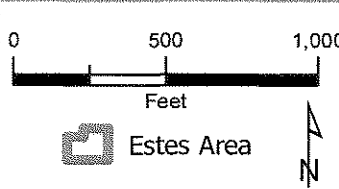
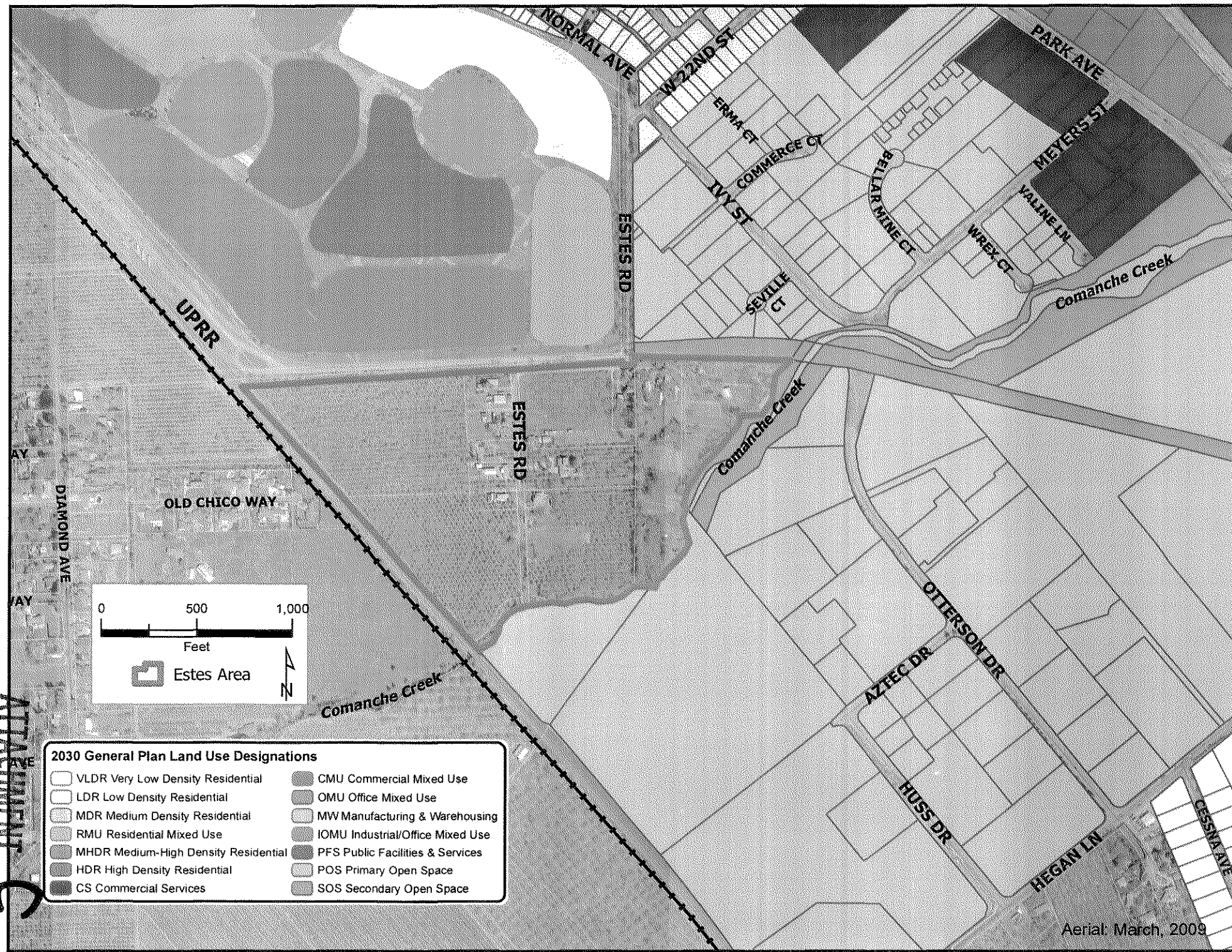
LAND USE ELEMENT

1. **AMEND POLICY LU-1.3 (Growth Plan)** - Maintain balanced growth by encouraging infill development where City services are in place and allowing expansion into Special Planning Areas when the City can efficiently provide services, without diminishing support for infill development and existing neighborhoods.
2. **ADD Policy ED-3.2 (Regulate Large Format Retail)** Consider land use regulations to limit the size of large-format retail stores and require discretionary review, in order to improve opportunities for small-scale neighborhood-oriented retail.
3. **AMEND Action LU-6.2.6 (South Entler)** to retain current General Plan policies LU-I-59-61 and continue to protect riparian habitat, mature trees, and scenic features on both sides of SR 99:
 - a. From LU-I-59-60: Preserve the cottonwood riparian habitat along Highway 99 and the stand of mature trees and biological resources along the southern boundary of the sites.
 - b. From LU-I-61: Designate Highway 99 south of Comanche Creek as a scenic highway and develop standards for setbacks, landscaping, and development design to enhance the views from this highway.
4. **AMEND Land Use Diagram for South Entler SPA** (Figure LU-2, following page 3-13) **to retain existing manufacturing designation** or IOMU to support base-level jobs, instead of sprawl-inducing regional commercial. *(Note: General Plan preference polling shows new retail development has the least support of the 21 interests polled.)*
5. **AMEND Land Use Diagram for Resource Constraint Overlay Areas**
 - a. **Area B - AMEND** underlying land use designations to extend very low density residential or open space over the entire area to safeguard federally protected wetlands and retain Bruce Road as an urban boundary.
 - b. **Area C - AMEND** underlying land use designations to eliminate commercial and extend very low density residential or open space designation over the entire area and retain Humboldt Road as an urban boundary.
6. **ADD a Resource Constraint Overlay Designation for Doe Mill-Honey Run SPA**, without changing the underlying land use designations
 - a. Designated a “critical vernal pool recovery area” on HCP map to protect drainage source
 - b. Current General Plan designates as sensitive vernal pool, vernal swale, riparian, blue oak woodland, and native grasslands habitats, all in severe decline in California.
 - c. Groundwater recharge area, particularly in stream basins receiving runoff
 - d. Includes deer migration corridors and active mountain lion and bear populations, sensitive to the presence of humans and pets
 - e. Almost entirely separated from the urban area on the west and north borders by the natural urban boundary of federally protected wetlands and the Butte Creek Diversion Channel. Development would leapfrog the only barrier to development further into the foothills.



ATTACHMENT **B**

21



2030 General Plan Land Use Designations

VLDR Very Low Density Residential	CMU Commercial Mixed Use
LDR Low Density Residential	OMU Office Mixed Use
MDR Medium Density Residential	MW Manufacturing & Warehousing
RMU Residential Mixed Use	IOMU Industrial/Office Mixed Use
MHDR Medium-High Density Residential	PFS Public Facilities & Services
HDR High Density Residential	POS Primary Open Space
CS Commercial Services	SOS Secondary Open Space

ATTACHMENT C

→ BUTTE COUNTY AIRPORT LAND USE COMMISSION →

• Department of Development Services • 7 County Center Drive, Orville, CA 95965 • (530) 538-7601 FAX (530) 538-7785 •

October 6, 2010

City of Chico
Planning Services Department
Attn: Brendan Vieg, Principal Planner
411 Main Street – 2nd Floor
Chico, CA 95927

Re: City of Chico 2030 General Plan Update - Draft consistency determination with the Butte County Airport Land Use Compatibility Plan.

Brendan Vieg:

On October 6, 2010, the Airport Land Use Commission (ALUC) reviewed Chico's 2030 General Plan Update for consistency with the Butte County Airport Land Use Compatibility Plan. Staff's initial recommendation was to deem the 2030 General Plan Update inconsistent, but based on discussions at the hearing, the ALUC made a motion to continue the item open until the November 17, 2010 ALUC meeting.

The ALUC agreed that included Goals, Policies and Actions would address most of the initial land use designation inconsistencies. Based on the following, the ALUC determined it would be able to make a consistency determination:

1. The City is proposing to implement airport overflight zoning district overlays, consistent with the boundaries of the Butte County Airport Land Use Compatibility Plan and parcels within the overlay district will be subject to the regulations and restrictions of the BCALUCP.
2. The City will add the Rancharo Airport into the appropriate Goal and Policy, or create a new Goal, Policy and Action for the Rancharo Airport.
3. The ALUC has recommended that the C1 and C2 Compatibility Zones around the Chico Municipal Airport be reclassified as a C Compatibility Zone. This proposed change will be presented at the November 17, 2010 ALUC meeting.
4. The ability of Chico to include a couple extra parcels into the previously approved (3/16/05) infill map. This proposed change will be presented at the November 17, 2010 ALUC meeting.

With the changes above, staff believes, based on today's meeting that the Butte County Airport Commission will find the City of Chico 2030 General Plan Update consistent with the Butte County Airport Compatibility Land Use Plan.

Should you have any questions regarding this matter, please contact me at 538-7376, between 7:30 a.m. and 4:00 p.m., Monday through Friday, or by email at mmichelena@buttecounty.net.

Sincerely,



Mark Michelena, Senior Planner
Staff to Butte County Airport Land Use Commission