

## 13 AREA AND NEIGHBORHOOD PLANS ELEMENT

### 1. DURHAM DAYTON NELSON PLAN

#### *A. Goals, Policies and Actions*

**Goal D2N-1** Provide a circulation and transportation system coordinated with land use to ensure streets and roads are safe, efficient and enhance the Planning Area's overall design and appearance.

#### Objectives

- D2N-O1.1 Maintain highways and roads, with appropriate street patterns and designs.
- a. Establish and design the street system to reflect more effectively the classification concept (arterial, collector, local) and the desired land use objectives of the community.
  - b. The circulation system should support the collective mobility goals of the residents of the Planning Area as identified in the Butte County Regional Transportation Plan.

#### Policies

- D2N-P1.1 Design local residential streets for access to properties and for discouraging through, non-local traffic.
- D2N-P1.2 Utilize effective traffic control devices which would regulate flow, provide adequate turning movements and promote pedestrian and bicycle safety.

- D2N-P1.3 Develop subdivision street design strategies aimed at mitigating traffic hazards.
- D2N-P1.4 Minimize conflicts between vehicular, pedestrian and bicycle traffic.
- D2N-P1.5 Restrict residential development from locating adjacent to streets carrying or expected to carry 10,000 vehicles per day because of adverse noise levels.
- D2N-P1.6 Seek means to restrict the routes for hazardous toxic materials and fuel trucks by restricting routes that go through populated areas.
- D2N-P1.7 Require traffic studies on any residential development which will have significant impacts on transportation to evaluate the placement of traffic control devices.
- D2N-P1.8 Where possible, new development shall plan arterial roadways on all section lines and collector roadways on all half-section lines to provide for efficient circulation.
- D2N-P1.9 An east-west interlink between Durham-Dayton Highway and the Midway shall be adopted prior to any subdivision approvals for property located north of the school, In addition, a north-south route shall be considered as part of the circulation system to the area north of the school.

#### Objectives

- D2N-O1.2 Bicycle and pedestrian safety.
- a. Provide policies and programs to ensure safer conditions for the bicyclist and pedestrian.
  - b. Promote and encourage bicycling for reasons of ecology, health, economy and enjoyment.

Policies

- D2N-P1.10 Develop a community-wide bicycle and pedestrian plan in accordance with the Transportation Development Act.
- D2N-P1.11 Encourage new residential subdivisions to implement bicycle and pedestrian facilities in the subdivision design.
- D2N-P1.12 Conduct traffic safety studies in connection with residential development, and identify pedestrian/traffic conflicts.

Objective

- D2N-O1.3 Aviation and railroad service.
- a. Ensure the viability of private air strips within the area for their importance to agriculture.
  - b. Ensure that rail service continues to be provided through the Planning Area, and that rail facilities are utilized for the best interest of the public.

Policies

- D2N-P1.13 Refer all developments which may impact upon any agricultural aviation operation to the Butte County Airport Land Use Commission for review.
- D2N-P1.14 Develop policies to address the needs and problems related to agricultural aircraft operation, particularly as they relate to the use and disposal of hazardous chemical material.
- D2N-P1.15 Through the Butte County Airport Land Use Commission, develop comprehensive land use recommendations to reduce potential conflicts between desired land uses and agricultural aviation activity.

- D2N-P1.16 Recognize the importance of privately-owned restricted-use airstrips to the agricultural needs of the county.
- D2N-P1.17 Promote quality rail service while, at the same time, offering competitive intramodal rates to the shipping public.
- D2N-P1.18 Improve rail grade crossings that have deteriorated to an unacceptable level.
- D2N-P1.19 Locate noise-sensitive uses a sufficient distance from railroads or provide appropriate mitigation measures to avoid adverse effects from trains passing through the Planning Area.

#### Objective

- D2N-O1.4 Public transit.
- a. Provide public transportation to that segment of the population within the community which is transit dependent, and continue to support public transit for area residents.

#### Policies

- D2N-P1.20 Require new subdivisions to incorporate transit design characteristics in street designs.
- D2N-P1.21 Require large subdivisions to provide a transportation system management plan which incorporates public transit as an element.
- D2N-P1.22 Develop low-cost methods of providing transportation to as many transit-dependent persons as possible.
- D2N-P1.23 Develop programs to help increase the farebox return of the transit system.

**Goal D2N-2** Provide affordable and adequate housing within the community to ensure the physical health, mental health, privacy and security of Planning Area residents.

Objective

D2N-O2.1 Housing supply.

- a. Ensure an adequate supply of housing to meet the needs of all segments of the Planning Area.

Policies

D2N-P2.1 Establish policies to regulate, subsidize and service housing within the Planning Area.

D2N-P2.2 Prepare a housing element for Butte County and revise and update every 5 years in accordance with State law.

D2N-P2.3 Provide an adequate amount of affordable multiple-family housing.

D2N-P2.4 Extend public services to vacant areas ready for new housing starts by forming improvement districts.

Objective

D2N-O2.2 Housing standards.

- a. Ensure that housing for all segments of the community is safe, sanitary and of the highest possible quality.

Policies

D2N-P2.5 Encourage the upgrading of existing dwelling units which require rehabilitation to meet current standards of the Uniform Building Code.

D2N-P2.6 Seek means and funds to improve the condition of dwellings found to be dilapidated or in deteriorating condition.

D2N-P2.7 Evoke the power of condemnation and nuisance abatement for the eradication of dilapidated dwellings deemed no longer safe or sanitary.

**Goal D2N-3 Improve overall air quality within the Planning Area and Butte County.**

Objective

D2N-O3.1 Regulation for clean air.

- a. Ensure development proposals adhere to the requirements of the Butte County Air Quality Management District.

Policies

D2N-P3.1 Encourage clean industries to locate within the Planning Area to minimize stationary source air pollution.

D2N-P3.2 Require air pollution estimations be made on projects as recommended by the Butte County Air Quality Management District in the latest revision of the CEQA Air Quality Handbook.

**Goal D2N-4 Locate, extend and phase community facilities and services to provide for orderly development and economical utilization of resources. Ensure that growth is orderly and does not result in a significant burden to existing levels of public services and facilities.**

Objective

D2N-O4.1 Provide public services.

- a. Encourage a rate of growth which does not exceed the county's ability to provide necessary public services or the ability of the local economy to support such growth.

Policies

D2N-P4.1 Encourage industrial, agricultural and commercial uses which provide tax revenues to help support planned residential growth.

D2N-P4.2 Monitor various factors relating to the area's growth rate and provision of public services, including an inventory of land reserves and the costs and revenues associated with new development.

D2N-P4.3 Develop a program of growth phasing, wherein only those lands which are adjacent to existing urban densities and have public facilities and services available will be able to develop at urban densities and standards.

D2N-P4.4 Foster a compact rather than a scattered development pattern in order to discourage urban sprawl to reduce the extend and cost of public services, and to preserve open space within the Planning Area.

D2N-P4.5 Ensure the ongoing operation and funding of the Durham Fire Station and library services provided by the County.

D2N-P4.6 Coordinate growth with the ability of the Durham Unified School District's to service and provide facilities.

- D2N-P4.7 Review the option of package treatment plants or sanitary sewer systems for the communities of Durham, Dayton and Nelson.
- D2N-P4.8 Expand the recreational opportunities of the Planning Area.
- D2N-P4.9 Develop policies for park sitting and dedication within the Planning Area.
- D2N-P4.10 Improve overall police protection by seeking resident deputies and/or reserve deputies and a future substation within the Planning Area.

#### Objective

- D2N-O4.2 Utilization of resources.
- a. Plan the population growth within the Planning Area to a level consistent with retaining a rural community lifestyle and recognizing environmental constraints.
  - b. Support the continued viability of agricultural production as the major source of income, employment and economic viability of the Planning Area.

#### Policies

- D2N-P4.11 Improve linkages among organizations to address the defined needs of the Planning Area.
- D2N-P4.12 Review all development projects to ensure that they promote the responsible use and stewardship of the natural resources to preserve the quality of rural life.
- D2N-P4.13 Plan, finance and develop facilities and services in the Planning Area that contribute to making this area a desirable place in which to live and make private and business investments.



**Goal D2N-5** Protect and maintain areas of native vegetation which include riparian forest, valley freshwater marsh, valley oak woodland, vernal pools, annual grasslands and designated natural areas. Such areas deserve protection as part of the heritage of the communities, for the way such areas add to the aesthetic environment, and as important examples of the diversity of habitats and the wildlife they support within the Planning Area and the State.

Objective

- D2N-O5.1 Protection of natural habitats.
  - a. Protect confirmed locations of sensitive plants and animals.

Policies

- D2N-P5.1 Review all projects in accordance with the California Environmental Quality Act to ensure no plant or animal species is endangered by the proposed development
- D2N-P5.2 Encourage groups interested in the preservation of wildlife and plants to purchase the development rights to sensitive areas.
- D2N-P5.3 Encourage the coordination with other community groups, governmental organization and private interests to avoid duplication of effort and, encourage innovation.

**Goal D2N-6** Utilize and develop natural resources so as to protect those resources and eliminate exposure of persons and property to environmental hazards

Objective

- D2N-O6.1 Management of mineral resources.
- a. Efficiently utilize mineral resources and ensure their continued supply.

Policies

- D2N-P6.1 Encourage proper development and management of sand and gravel.
- D2N-P6.2 Ensure that all commercial development of sand and gravel deposits is compatible with nearby land uses.
- D2N-P6.3 Ensure that extraction operations of sand and gravel adhere to all environmental quality regulations of the County and State.
- D2N-P6.4 Locate commercial, industrial, open space and agricultural uses adjacent to prime mineral resource areas to avoid conflicts between mineral production activities and present or planned residential and institutional land uses.

Objectives

- D2N-O6.2 Protection of soil resources.
- a. To eliminate potential for soil erosion or degradation of its agricultural productivity.

Policies

- D2N-P6.5 Require standard erosion-control measures and construction practices to minimize soil erosion.
- D2N-P6.6 Protect agricultural lands which currently produce, or have the potential to produce, from encroaching urban uses.

Objectives

- D2N-O6.3 Protection of water resources.
- a. Utilize surface water resources for multiple uses such as recreation, farming and industry.
  - b. Preserve the quality of all water resources through control of the intensity of use, the density of population and the type and amount of development.

Policies

- D2N-P6.7 Identify and protect groundwater recharge areas within and outside of the Planning Area to assure adequate groundwater supplies meeting the standards of the California Safe Drinking Water Act.
- D2N-P6.8 Require subdivisions adjacent to existing water systems to connect to them.

Objective

- D2N-O6.4 Manage natural gas resources.
- a. Ensure the safe and efficient extraction and use of the area's natural energy resources.

Policies

- D2N-P6.9 Identify all natural gas resources and prepare an energy, natural resources and recreation element of the Butte County General Plan.
- D2N-P6.10 Locate open space and agricultural land uses surrounding production areas to reduce incompatible land uses.
- D2N-P6.11 Promote the exploration and production of natural gas.

**Goal D2N-7 Limit potential threats to human health and property which may result from natural environmental hazards.**

Objective

- D2N-O7.1 Avoid geologic hazards.
- a. Regulate the spatial relationships of land uses to reflect the geologic hazards of the area.

Policies

- D2N-P7.1 Identify areas subject to seismic activity and its secondary effects.
- D2N-P7.2 Require all new buildings comply with the provisions of the Uniform Building Code for seismically active areas.
- D2N-P7.3 Identify the appropriate use of lands subject to erosion, subsidence, expansion of soils and other geologic hazards or characteristics.
- D2N-P7.4 Designate for open space land uses those areas with high erosion potential or soil instability which cannot be mitigated.

Objective

- D2N-O7.2 Avoid hydrologic hazards.
- a. Promote urban development outside of existing floodplain, and contain the floodplain within their current boundaries.

Policies

- D2N-P7.5 Protect the capacity of floodplain and prevent flood damage and associated public relief expenditures created by construction of residential structures in the floodplain.
- D2N-P7.6 Identify areas subject to localized ponding and lacking adequate drainage facilities.
- D2N-P7.7 Require correction of local stormwater ponding conditions prior to development in such areas, either through off-site improvements provided by land developers, or through community storm drain facility capital improvements projects.

**Goal D2N-8** Ensure that the area's growth is in accordance with the desires and needs of the community, that future developments are safer and healthier as human habitats, more resilient to deteriorating forces and more consistent or harmonious with natural processes.

Objective

- D2N-O8.1 Manage existing and future land use.
  - a. Promote a growth rate which reflects a well-planned and controlled expansion of the area.

Policies

- D2N-P8.1 Concentrate future residential uses within or near the existing developed communities.
- D2N-P8.2 Control the direction and amount of growth through the planning and regulation of public facilities.

- D2N-P8.3 Establish appropriate growth guidelines which will achieve a balance and relationship between urban expansion and the natural environment.
- D2N-P8.4 Provide for community shopping needs by providing for a full range or retail commercial services desired by the community.
- D2N-P8.5 Provide for industrial uses in locations and at a level of use compatible with adjacent uses, recognizing the rural nature of the Planning Area.
- D2N-P8.6 Provide for public and quasi-public uses near residential and commercial areas.
- D2N-P8.7 Encourage and maintain agriculture as the predominant land use of the Planning Area.
- D2N-P8.8 Promote citizen participation in planning by establishing and forming planning committees, special-purpose planning groups and other outreach programs.
- D2N-P8.9 Review boundaries of Planning Area and revise, as necessary, to include lands which reflect community identities, and exclude lands outside community boundaries and for which land use plans have recently been adopted.
- D2N-P8.10 Support the adopted Greenline and policies for the areas located within the Chico Urban Area north of the Durham Unified School District boundary.
- D2N-P8.11 Provide a separation between the Chico Urban Area and the northerly boundaries of the communities of Durham and Dayton by recognizing the Durham Unified School District boundary as a line of demarcation.

D2N-P8.12 Adopt an urban boundary surrounding Durham-Dayton-Nelson to require infrastructure improvements that meet the urban standards as established by the Butte County Public Works Department.

D2N-P8.13 All General Plan Amendments which allow densities of less than 1 acre per dwelling unit shall be incorporated into the urban boundaries.

D2N-P8.14 The Planning Department shall develop General Industrial (GI) development or performance standards that include greater setbacks, landscape buffers and standards, screening, architectural enhancements and review procedures within six months of approval of the D2N Plan or prior to the development of any GI zoned lands.

D2N-P8.15 Existing Industrial uses that have been rezoned to commercial designations may continue as pre-existing non-conforming uses. However, whenever a use change is industrial in nature, a Use Permit shall be required to determine the appropriateness and public safety issues that may occur. Public notice in a paper and posting in Durham shall be required.

**Goal D2N-9 Maintain and preserve for future generations the Planning Area's historical and cultural resources and pioneer heritage.**

Objective

- D2N-O9.1 Preserve historic and cultural resources.
- a. Establish strict public policy for the preservation of historical, archaeological and cultural resources that will safeguard the heritage of the past to provide the community a cultural foundation for measuring change.

Policies

- D2N-P9.1 Seek historic designation for locally significant sites and structures in cooperation with local groups and residents.
- D2N-P9.2 Protect the archaeological resources within the area and provide for the appropriate reconnaissance and/or preservation of these significant resources.
- D2N-P9.3 Promote the use of historical properties, sites and districts for the education and recreation of the citizens of the County.
- D2N-P9.4 Provide for the protection of visually appealing features of the community that enhance the residents' perception of the local environment and evoke community pride.

***B. Durham – Dayton – Nelson Planning Area Urban Reserve Policy***

Due to the planning and development interrelationships involved with the D2N Area and the balancing of competing land uses such as agricultural versus residential, that General Plan Amendments, rezones, subdivision approvals and subsequent urban development must include additional criteria of development. In addition, consideration of various elements of the county's policies, plans and standards must occur to ensure proper development of the area. It is to this end that urban reserve policies have been recommended. The plans and policies that are necessary in this context are the following:

- ◆ A water plan for the area which establishes the service area and the size, standards, location and phasing of treatment facilities and lines to service the area. This plan should be based on the desired land pattern for future growth, the costs of initial service and the continued operation costs to the south Durham-Dayton-Nelson area.



- ◆ A park and open space plan that identifies locations and standards for park and recreation areas to serve future growth, and natural open space areas that are to be preserved.
- ◆ An environmental plan that identifies critical areas that should be protected from development if applicable.
- ◆ A street and transportation plan that indicates the location, capacity and nature of the system and off-site transportation impacts.
- ◆ Health department standards for control of septic systems and water wells. Areas where wells and septic systems are not permissible should be identified.
- ◆ A fiscal plan that identifies the proportion of costs of public facilities and services that is to be reimbursed from new subdivisions.
- ◆ A capital improvements plan/program that indicates where and when physical improvements are to be made.
- ◆ The size of these improvements, and how they will be financed.

All of the above items are elements of the planning process which should be required by the county of any given General Plan Amendment, rezone, or subdivision proposal in the D2N area to create a coherent community development. Such a requirement would prevent the marginal developments from occurring which cause conflicts between the residential and agricultural land uses of the area. Currently, many subdivisions in the D2N area occur at the 1-plus-acre size to circumvent the county subdivision ordinance which requires paved roads, curbs, gutters and sidewalks for developments of less than 1 acre. Setting higher standards for development would also prevent premature developments from taking place and preserving the ag-lands until such time the market place can support urban residential development property, Therefore, the following policies shall apply to the entire Planning Area.

### **1. D2N Urban Reserve Policy Statement**

- ◆ The County's land use policy, zoning and subdivision regulations shall be coordinated with the Urban Reserve policies and regulations; and

- ◆ All property located in the planning area shall be managed as an “URBAN RESERVE,” not permitting rural residential development and uses on parcels less than 3 acres until such time as they are needed for development and adequate services are available to serve this area; and
- ◆ Any proposal for a General Plan Amendment, rezoning or subdivision which would permit parcels of less than 3 acres to be created for residential use shall be coordinated with all public agencies which provide utility and public services for extension of water, sewer, circulation, drainage and shall be required to submit the following plans prior to or concurrently with the adoption:
  - A capital improvement plan/program that indicates where and when physical improvements are to be made, the size of these improvements, standards, phasing of treatment facilities and lines to service the area, and how they will be financed. This plan should be based on the desired land pattern for future growth, the costs of initial service, and the continued operation costs to the designated area.
  - A park and open space plan that identifies locations and standards for park and recreation areas to serve future growth, and natural open space areas that are to be preserved.
  - An environmental plan that identifies critical areas that should be protected from development if applicable.
  - A street and transportation plan that indicates the location, capacity and nature of the system and off-site transportation impacts.
  - Health department standards for control of septic systems, and water wells. Areas where wells and septic systems are not permissible should be identified.
  - A fiscal plan that identifies the proportion of costs of public facilities and services that is to be reimbursed from new subdivisions.
- ◆ Any parcel which is now less than 20 acres which was legally created, preexisting and non-conforming may be developed according to its zoning and the provisions of Butte County Code Section 24-35.

- ◆ Development standards of the County utilized in other urban areas for developments less than 1 acre shall be utilized for all residential development projects within the Urban Reserve Area.
- ◆ The following policy applies only to the properties described: All Very Low Density Residential zoned properties that are located (immediately) north, south and west of the Durham School can be considered for higher density (Low Density Residential standards) development once the above mentioned services are adequately addressed. The County shall support density transfers within this area to encourage more cost effective and efficient developments as an interim measure until items such as regional sewage disposal can be addressed. The remaining lands in such a proposal would have planned roads and lot sizes, but shall remain undeveloped and/or in agricultural production until a sewer system is established. Appropriate on-site sewage disposal standards shall be the ultimate determining factor of the actual developed densities.