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Butte County Planning Commission

AGENDA REPORT

Upper Ridge Community Plan

January 27, 2022

RECOMMENDATION

Adopt the Resolution (Attachment A) recommending the Butte County Board of Supervisors accept the Upper Ridge Community Plan and that plan adoption take place upon completion of environmental review pursuant to CEQA for the Upper Ridge Community Plan and the General Plan 2040 Update.

EXECUTIVE SUMMARY

Hold a public hearing to consider the draft Upper Ridge Community Plan. The Planning Commission will receive a presentation of the draft Plan, take public testimony, provide direction to staff, and make a recommendation for the Butte County Board of Supervisors consideration.

BACKGROUND

The 2018 Camp Fire was the deadliest and most destructive wildfire in the United States in over 100 years, damaging and destroying approximately 2,200 homes in the unincorporated community of Magalia, which equaled almost 40 percent of the community's housing stock. In addition to the loss of housing, the Camp Fire significantly affected the area's population, the natural and built landscape, and the community's priorities. The Upper Ridge Community Council, a recognized representative of the community of Magalia and the Upper Ridge area, conducted many community meetings and identified many aspects of the community that would benefit from a community plan, especially in the area of fire safety, evacuation routes, land use, community and economic development, affordable housing, infrastructure, recreation, and quality of life. In collaboration with the Upper Ridge Community Council and the support of elected officials and other organizations, the County obtained funding for the Upper Ridge Community Plan through the Butte Strong Fund. The Fund was made available through the North Valley Community Foundation, in partnership with Sierra Nevada Brewing Co. and the Aaron Rodgers NorCal Fire Recovery Fund, and aims to provide long-term recovery to communities impacted by the Camp Fire.

A community plan is an amendment to the General Plan that provides guidance and policies specific to a small geographic area within the larger jurisdiction. A community plan establishes a long-term vision for an

area and provides a framework to help guide growth by creating community goals, strategies, and recommendations. The policies and strategies developed through the community plan may then be implemented by ordinances and other discretionary actions, including zoning and subdivisions.

Community plans are adopted (or amended) similarly as a General Plan and follow the processes established in [California Government Code section 65350 et seq.](#) and [Butte County Code \(BCC\) section 24-277 et seq.](#) Adopting a community plan requires the Planning Commission to conduct a public hearing and make a written recommendation to the Board of Supervisors. The recommendation, and future adoption of the community plan, are based on the four findings specified in BCC section 24-282:

- a) *The proposed General Plan Amendment is in the public interest;*
- b) *The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan;*
- c) *The potential effects of the proposed General Plan Amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare; and*
- d) *The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and CEQA.*

UPPER RIDGE COMMUNITY PLAN AREA

The Upper Ridge Community Plan Area is immediately north and adjacent to the Town of Paradise and approximately 15 miles east of Chico, in the foothills of the Sierra Nevada. The Plan Area encompasses the unincorporated community of Magalia and the Paradise Pines neighborhood. It is generally bounded by Lake De Sabla to the north, Coutolenc Road to the east, Centerville and Nimshew Roads to the west, and the Town of Paradise boundary to the south (see Figure 1-1 of the Draft Upper Ridge Community Plan).

EXISTING CONDITIONS

Background studies and analysis are needed to understand the condition of the Plan Area. This information identifies issues and trends that will eventually form the basis for many of the strategies created in the community plan. The existing conditions analysis prepared for the Upper Ridge Community Plan were developed through five separate memos, as follows:

Community Character: Provides descriptions of land uses, character, and circulation for each neighborhood within the Plan Area. The memo describes the impacts of the Camp Fire on each neighborhood's built and natural environments. The memo also introduces park, recreational, and open space amenities in the Upper Ridge.

Transportation and Circulation: Documents existing transportation data and provides an overview of the transportation conditions in the Plan Area. Describes how users travel within the plan area and identify existing traffic safety concerns, barriers, and opportunities.

Infrastructure and Services: Provides a summary of existing conditions for the Plan Area's water, wastewater, and stormwater utilities.

Hazards and Safety: Provides an overview of the community, a summary of local emergency management frameworks and approaches, and hazard profiles for nine hazards that pose a risk to the area.

Demographics and Market Conditions: Documents the demographic and economic trends and conditions and describes how these trends may influence growth and development in the Plan Area.

COMMUNITY PLAN CONTENTS

The Plan has been developed to reflect the community's shared vision of the future and identifies specific goals, strategies, and recommendations to achieve that vision. The proposals presented in this Plan further the objectives of the Butte County General Plan by providing a community-level planning document that will shape multiple aspects of life in the Upper Ridge, such as future housing; healthy and resilient neighborhoods; protection and management of natural resources; community safety; and social and economic equity in the Upper Ridge plan area over the next twenty years.

The Plan is organized into ten chapters: I. Introduction and Background, II. Community Engagement and Vision, III. Land Use, Development, and Housing, IV. Magalia Center, V. Parks, Recreation, and Open Space, VI. Circulation, VII. Resiliency, VIII. Utilities, IX. Implementation, and X. Upper Ridge Multi-Family Residential Design Guidelines. The chapters are summarized below:

Chapter I (Introduction and Background):

Introduction to the Plan's purpose, description of the Plan Area, and background on existing conditions related to 1) community character, 2) parks, recreation and open space, 3) circulation, 4) infrastructure, 5) hazards and safety, and 6) demographics and market conditions.

Chapter II (Community Engagement and Vision):

Summary of the multifaceted public input process that shaped Plan objectives, strategies, and concepts, and description of the community's vision and goals for the Upper Ridge area.

Chapter III (Land Use, Development, and Housing):

Strategies for residential, commercial, and public land uses in the Upper Ridge Area to enable development of new construction and replacement of lost structures. Evaluation for the potential use of a Transfer of Development Rights (TDR) Program. The separate TDR feasibility analysis is included in Attachment C.

Chapter IV (Magalia Center):

Land use concept and design guidelines for the Magalia commercial area around Lakeridge Circle, envisioning a future heart of the Upper Ridge community composed of additional commercial amenities, a variety of housing types, and public spaces.

Chapter V (Parks, Recreation, and Open Space):

Strategies and concepts to enhance opportunities for Upper Ridge residents and visitors of all ages and abilities to experience the outdoors and take part in recreational activities. Strategies related to the role that parks play in fire-safe planning and during emergency events are also presented.

Chapter VI (Circulation):

Strategies and concepts to improve connectivity and circulation in the Upper Ridge for all travel modes – including vehicles, pedestrians, bicyclists and transit users – and promote safe and sufficient evacuation route options for use during emergency events.

Chapter VII (Resiliency):

Strategies to increase resiliency throughout the Upper Ridge by reducing risks from hazards such as drought, extreme heat, and wildfires, as well as strategies to improve emergency response through effective communication and enhanced emergency resources.

Chapter VIII (Utilities):

A summary of utility issues impacting development on properties in the Plan Area.

Chapter IX (Implementation):

Strategies for successfully funding and implementing improvements recommended in the Community Plan, including a summary of potential local, regional, statewide, and nationwide funding sources.

Chapter X (Upper Ridge Multi-Family Residential Design Guidelines):

A set of design guidelines for multi-family residential development in the Upper Ridge area that encourage projects that have an appropriate form and scale that is context sensitive.

COMMUNITY OUTREACH AND ENGAGEMENT

Public participation is a crucial component of a community plan process. Staff used a combination of outreach techniques to engage community involvement in the planning process, including two separate direct postcard mailings to property owners within Magalia's Census Designated Place (CDP) and surrounding areas, posting of flyers throughout the community, email notifications, social media postings, and a dedicated project webpage. Through extensive outreach and community engagement efforts over the past year, issues and opportunities were identified by community members and stakeholders, which were then incorporated into the draft plan through a series of community-supported goals, strategies, and concepts.

The Plan's community engagement efforts primarily included three methods for community members to be involved with the process: community workshops, stakeholder interviews, and online surveys.

- **Community Workshops:** Four community workshops were held during the past year. The first three workshops were online virtual events, while the fourth workshop was in-person and supplemented by an online survey. The last three workshops were conducted charrettes, intensive collaborative efforts between planning professionals and residents to gather community input and identify solutions.
 - Workshop 1: January 27, 2021 (Virtual) - Issues and Opportunities
 - Workshop 2: May 5, 2021 (Virtual) - Community Visioning
 - Workshop 3: May 26, 2021 (Virtual) - Initial Concepts
 - Workshop 4: June 15, 2021 (In-person at Magalia Community Center) - Refined Concepts
- **Stakeholder Interviewees:** Upper Ridge Community Counsel, Paradise Pines Property Owners Association, Paradise Chamber of Commerce, Paradise Recreation and Park District, Town of Paradise, County Departments, Del-Oro Water, local business owners, public officials, and interested community members.

- **Online Surveys:** Two online surveys were conducted to obtain a representative sense of views of community members on particular subjects and provide feedback on refined concepts developed for the Plan.

PUBLIC COMMENTS

The draft Plan was made available for public review and comment from December 10 to January 14. Comments for the draft Plan have been organized into a matrix that identifies each comment, commenter, date of the comment, and the County's response (Attachment D).

ENVIRONMENTAL DETERMINATION

The project will seek input and direction from the Planning Commission and the public to develop and refine the draft Plan and associated strategies considered later by the Butte County Board of Supervisors. This information gathering qualifies for a statutory exemption from environmental review pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies). The Plan and accompanying strategies will be analyzed under CEQA as a part of the Butte County General Plan 2040 Update and the associated Environmental Impact Report.

ATTACHMENTS

Attachment A: Planning Commission Resolution No. PC 22-01

Attachment B: [Public Draft Butte County Upper Ridge Community Plan](#)

Attachment C: Transfer of Development Rights (TDR) Feasibility Analysis

Attachment D: Public Comment Matrix

ATTACHMENT A

Resolution No. PC22-01

A RESOLUTION OF THE BUTTE COUNTY PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ACCEPT THE BUTTE COUNTY UPPER RIDGE COMMUNITY PLAN WITH PLAN ADOPTION UPON COMPLETION OF THE ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE GENERAL PLAN 2040 UPDATE

WHEREAS, the 2018 Camp Fire was the deadliest and most destructive wildfire in the United States in over 100 years, damaging and destroying approximately 2,200 homes in the unincorporated community of Magalia, which equaled almost 40 percent of the community's housing stock, significantly affecting the area's population, landscape, and priorities, and highlighting the area's vulnerability to wildland fire; and

WHEREAS, in September 2020, the County adopted Board of Supervisors Resolution No. 20-117 to recognize the Upper Ridge Community Council as representatives of the unincorporated communities of Magalia, Lovelock, Nimsheew, and Stirling City, collectively known as Upper Ridge, and to advocate for the preservation and enhancement of the quality of life on the Upper Ridge; and

WHEREAS, in accordance with Policy LU-P1.8 of the Butte County General Plan, the County shall support community planning efforts by and for unincorporated communities; and

WHEREAS, according to Butte County General Plan Policy LU-P2.4, as resources become available, the County shall engage willing and interested unincorporated communities in community planning processes to set a community vision and develop Area Plans. Urban growth boundaries, community boundaries, and spheres of influence may be developed as part of such processes; and

WHEREAS, Butte County initiated the creation of a community plan for the unincorporated community of Magalia and immediate surrounding area (Upper Ridge Community Plan), as an amendment to the Butte County General Plan, in a manner set out in Government Code section 65350 et seq. and Butte County Code section 24-277 et seq.; and

WHEREAS, funding for the Upper Ridge Community is provided through the Butte Strong Fund, a partnership of the North Valley Community Foundation, Sierra Nevada Brewing Co., and the Aaron Rodgers NorCal Fire Recovery Fund, which aims to provide long-term recovery to communities impacted by the Camp Fire; and

WHEREAS, in 2020, the County selected the firm Placeworks to assist with the preparation and drafting of the Upper Ridge Community Plan; and

WHEREAS, the Upper Ridge Community Plan is a planning document that sets a community-supported, long-term vision promoting a thriving, resilient, and sustainable Upper Ridge region and sets forth goals, strategies, and design concepts related to assist in the development of the Plan Area; and

WHEREAS, the Upper Ridge Community Plan Area encompasses the unincorporated community of Magalia and the Paradise Pines neighborhood and is generally bounded by Lake De Sabla to the

north, Coutolenc Road to the east, Centerville and Nimshew Roads to the west, and the Town of Paradise boundary to the south; and

WHEREAS, in accordance with Butte County General Plan Policy LU-P7.1, consideration of General Plan amendments shall include broad public participation through the use of public meetings, local groups, questionnaires, and other methods and notification of affected property owners; and

WHEREAS, the County, in coordination with the Upper Ridge Community Council, engaged the community of Magalia to help formulate the Upper Ridge Community Plan, including conducting multiple community workshops, numerous stakeholder group and individual interviews, online surveys, and development of a dedicated project webpage; and

WHEREAS, the County used a combination of outreach methods to encourage community involvement in the planning process for the Upper Ridge Community Plan, including two separate direct mailings to each property owner in and surrounding the Plan Area, posting of flyers throughout the community, email notifications, social media, and posting of planning documents on the project webpage; and

WHEREAS, the Draft Upper Ridge Community Plan was made publicly available from December 10, 2021, through January 14, 2022, online at: <https://www.buttecounty.net/dds/urcp> to allow for public review and comment before the Planning Commission's hearing; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on January 27, 2022; and

WHEREAS, the Butte County Planning Commission has reviewed and considered the information in the administrative record, reports, and all oral and written testimony presented to the Planning Commission; and

WHEREAS, the Planning Commission has determined that the hearing to gather information, seek input from the public, and provide direction on the Draft Upper Ridge Community Plan is statutorily exempt from an environmental review pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies); and

NOW, THEREFORE, BE IT RESOLVED, that the Butte County Planning Commission recommends that the Board of Supervisors accept the Upper Ridge Community Plan, subject to the following findings set forth in Butte County Code section 24-282:

1. The proposed General Plan Amendment is in the public interest;

The Upper Ridge Community Plan is in the public interest and represents the community's vision for a sustainable, attractive, and resilient community. All individuals, groups, and agencies desiring to comment were given adequate opportunity to submit oral and written comments on the Draft Upper Ridge Community Plan. These opportunities for comment meet or exceed the requirements of the Planning and Zoning Law and Butte County Code.

2. The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan;

The Upper Ridge Community Plan is consistent with the Butte County General Plan and will be adopted as an amendment to the General Plan 2040 Update.

3. The potential effects of the proposed General Plan Amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare; and

The proposed Upper Ridge Community Plan is in the public interest and protects the County's health, safety, and welfare.

4. The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and CEQA.

The actions by the Planning Commission to gather information and provide direction are statutorily exempt from an environmental review in accordance with the California Environmental Quality Act and CEQA Guidelines Section 15262. Upon acceptance of the draft plan and accompanying strategies by the Board of Supervisors at a future hearing, further analysis, in accordance with CEQA, will be performed through an Environmental Impact Report.

DULY PASSED AND ADOPTED this 27th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

, Chair
Planning Commission
County of Butte, State of California

ATTEST:

Michal Hanson, Secretary
Planning Commission
County of Butte, State of California

ATTACHMENT B

[Upper Ridge Community Plan – Public Review Draft \(rev. 1.19.2022\)](#)

ATTACHMENT C

MEMORANDUM

Date: November 1, 2021

To: Paula Daneluk and Dan Breedon, Butte County

From: Steve Gunnells, Chief Economist

Subject: TDR Feasibility Assessment, Upper Ridge Community Plan

Summary

This memo evaluates the feasibility of establishing a transfer of development rights (TDR) program that could lessen future housing development in more remote parts of the Upper Ridge Community Plan Area that would help to create areas of wildfire breaks by moving development to safer locations.

The analysis is somewhat limited because the real estate and development markets in the plan area have not fully recovered to normal, or a new normal, since the Camp Fire. In addition, there is a lot of volatility in the cost of construction materials resulting from production slowdowns during the pandemic and the ongoing logistics and supply chain disruptions. Given these complicating factors, the analysis generally finds that it is currently difficult for any conventional development to be financially feasible in the Upper Ridge Community Plan Area.

Based on the available data, the analysis finds that the most feasible application of a TDR program would permit TDRs to be used to increase the density of RR-5 lots in or near the developed parts of the plan area to accommodate two houses per five acres instead of one. In this case, the report recommends an exchange rate of 1.5 to 2 (for each sending-area housing right sold as a TDR, a receiving area property owner or developer could build 1.5 to 2 additional housing units). With the limited number of buildable RR-5 lots in and near the developed parts of the plan area and with this exchange rate, the capacity for selling TDRs could easily outpace the capacity to purchase TDRs. In this case the County could consider a potential TDR program with receiving areas (and sending areas) located outside of the Upper Ridge.

The analysis finds that using TDRs to allow residential development on commercial lots is not currently feasible. Also, there do not appear to be financially feasible options under which TDRs could be used to streamline entitlement and permit processing or to lessen other development standards.

Finally, the analysis evaluated using TDRs to facilitate multifamily development for workforce housing in the plan area. With the current challenging market conditions, this use of TDRs is not feasible. Moreover, efforts to promote multifamily housing should focus on reducing costs and increasing flexibility rather than saddling new multifamily housing with the added cost of purchasing TDRs.

Content

1. INTRODUCTION

1A. Background

As part of the planning process to update the Upper Ridge Community Plan, a concern arose as to the current planning and zoning, which allows houses on five acre lots throughout much of the plan area. Public safety personnel and vehicles could face major difficulties reaching many places where such housing can be developed, especially in the case of another major disaster or other public safety incident.

Transfer of development rights (TDR) is a planning and land use tool that is used on a voluntary basis to allow the right to build one or more houses from an area which the public might benefit from conserving in a natural, undeveloped state. When developers purchase TDRs from such property owners in order to build more housing in areas suited for additional development, the value of the TDRs compensates the original property owner for conserving their land.

There are successful TDR programs in California and many other states. The purpose of this report is to explore the feasibility of establishing a TDR program within the Upper Ridge Community Plan Area.

1B. How TDRs Work

There are three necessary elements to a TDR program. First, the program must identify a sending area. This is the area from which the right to build one or more houses provided by the zoning ordinance may be severed from a parcel and transferred to a receiving area property owner. Typically, a conservation easement or some other deed restriction is recorded to prevent future property owners from building on the parcel.

Secondly, the program must identify a receiving area. This is the area in which a transferred development right may be used to build a house. Typically, the TDR program allows a property owner to use one or more TDRs to exceed the density allowed by the underlying zoning district. However, the TDR program may also allow the TDR to be used for other incentives that improve the financial feasibility of a proposed development project in the receiving area. These incentives might include lower parking requirements or reductions in other development standards. The key point is for the purchased TDRs to improve a proposed project's profitability sufficiently to justify purchasing the TDR.

The final component is the exchange rate. Rarely do development economics work out such that the allowance of a single additional house warrants buying a single TDR. More often, the receiving area property needs to gain several additional houses for each TDR purchased. The exchange rate defines these parameters.

TDRs can cover more than just housing. For instance, the Collier County, FL, TDR program grants a sending area property owner additional TDRs that they can sell if they enroll their property in a program that maintains the site in perpetuity to inhibit to growth of invasive species. The Tahoe Regional Planning Agency's TDR program also includes TDRs for lot coverage (which increases stormwater runoff, a major water quality issue in the Tahoe basin).

Finally, it is worth reiterating that a TDR program is completely voluntary for both sending area and receiving area property owners. Sending area property owners may decide whether to build allowable housing or to sell that right. Receiving area property owners are free to building in compliance with the underlying zoning standards or to chose to purchase TDRs in order to build at a higher density.

1C. Financial Feasibility Analysis

This report summarizes financial feasibility analyses for various possible developments in sending and receiving areas. A financial feasibility analysis adds up the costs and revenues from a possible development project to determine if the project will generate a sufficient rate of return. For a project in which the developer will sell new houses upon construction, the metric is whether the project will generate an internal rate of return (IRR) of 15 percent or higher. For a project in the developers will rent new housing unit or commercial building space after construction, the metric is whether the project will generate a cash-on-cash yield of eight percent or higher. The cash-on-cash yield (or just yield) is calculated as the net operating income (before debt service and taxes) in the first year of full occupancy divided by the total development cost (including the cost of construction financing).

Regardless of metric, the financial feasibility analysis determines the residual land value, which is the price the developer can afford to pay for the land and still generate the threshold rate of return, either IRR or yield. When the residual land value is higher than the expected market rate cost of land, then the project is financially feasible. The difference between the residual land value and the estimated market rate for land is, in the present case, the amount the developer could afford to pay to purchase TDRs. If the residual land value is less than the expected market-rate cost to acquire land, then the project is not financially feasible.

1D. Unique Challenges

Two unique challenges limit the effectiveness of the financial feasibility analyses. First, the real estate and development market in the Upper Ridge has not fully recovered from the Camp Fire. The available data for land and housing sales may be skewed. Not all recorded transactions may be fairly considered arm's length transactions, and there is no clear way to tell that from the available data. And the market of buyers has not necessarily returned to a normal level (either the old normal or a new normal). The analysis has been conducted as best as can be with the available data, but the estimated market value of land and new housing is only an estimate based on the available data.

The second challenge is the volatility in construction costs. Disruptions in the production of construction materials resulted during the COVID-19 pandemic economic recession and its aftermath. Further disruptions in logistics supply chains have aggravated the production challenges. These have caused prices for some materials to rise dramatically, only to fall later when other prices rose. This volatility is expected to continue into 2022. Again, this analysis has been prepared with the available data but its accuracy is limited by price volatility.

1E. Data Sources

Sales values for housing and land are based on sales data from ListSource for the 95954 zip code for the period from July 1, 2020 through October 1, 2021. Construction loan and permanent financing terms were obtained from RealtyRates.com and reflect the third quarter of 2021. Construction cost estimates are based on Craftsman Book Company's *2021 National Building Cost Manual*.

2. SENDING AREA ANALYSIS

The sending area analysis assumes a generic 40-acre parcel, in the RR-5 zoning district. This zoning would allow one house per five acres, and thus the generic parcel would have a theoretical capacity to accommodate eight new houses. In reality, steep slopes and other constraints might well limit such a parcel to less than eight lots. Nevertheless, the analysis provides a conservative estimate of the feasibility of TDRs by assuming that this parcel would achieve eight building lots.

2A. Development Program

The conceptual development program assumes that the parcel lies adjacent to an improved public road and that the developer constructs a street to provide access to the interior lots. The development cost assumes a well and septic system and a 200-foot gravel driveway. Each house would be 2,200 square feet with a 400-square foot attached garage. The financial feasibility analysis assumes that there would be a nine-month entitlement process, 12 month of construction, and three months after construction to sell the new houses.

2B. Financial Feasibility

The financial feasibility of the residential subdivision for the sending area conceptual development program is summarized in Table 1. The analysis estimates the total development cost at \$2.9 million, or \$365,000 per unit, plus \$895,000 for land acquisition, based on the estimated market value. The analysis also estimates that the total sales value of the completed project would be \$3.7 million, or \$457,000 per unit.

To achieve a 15 percent IRR, a developer could afford, at most, to pay \$462,000 for land acquisition, which is 48 percent less than the estimated market value. This indicates that this project would not currently be financially feasible.

Table 1: Financial Feasibility of Sending Area Residential Subdivision; Upper Ridge Community Plan Area

	Project Total	Per House
Total Development Costs	2,920,000	365,000
Assumed Land Cost	895,000	111,900
Total Sales Value	3,660,000	457,000
Residual Land Value @ 15% IRR	462,000	57,700
Feasibility Surplus/(Gap)	(433,000)	(54,100)
	-48.4%	-48.4%

Source: PlaceWorks, 2021.

2C. Implications

The analysis indicates that a sending area property owner would be ambivalent between selling their property to a developer or selling eight development rights at a price of \$462,000. In actuality, the property owner would also weigh the cost of ongoing ownership, which would include property taxes and maintenance, but also the potential value of selling timber.

A sending area property owner may also perceive their land to be worth \$895,000. In that case, the property owner might choose to hold onto their property and wait for market conditions to catch up to the perceived value. Similarly, this same property owner might be willing to sell the development rights for \$895,000.

Thus, the analysis estimates that the purchase price of a single TDR would be between \$57,700 and \$111,900. Admittedly, this is a broad price range, but given the current state of the real estate and development market, this is as close as can be estimated.

3. RECEIVING AREA ANALYSIS

The report analyzes two receiving area scenarios: using a TDR to increase the density of a RR-5 parcel from one house to two houses and using a TDR to allow a house to be built on a commercially zoned property. The final part of this section assesses the potential for TDRs to allow other development standard reductions.

3A. Residential Lot Analysis

The residential lot analysis assumes a generic 5-acre lot, which could currently accommodate a single housing unit.

3A(i) Development Program

The development program assumes that the parcel lies adjacent to an existing public road and that it has sufficient frontage to accommodate a lot split into two separate building lots. To allow equal comparisons, this scenario assumes the same development as in the sending area analysis: each house would be 2,200 square feet, with a 400-square foot attached garage and a separate well and septic system for each house.

The analysis calculates the financial feasibility for two scenarios. The first is the currently allowable development of the generic five-acre site with one house and the second is splitting the lot and building two houses, with a single TDR purchased to accommodate the second dwelling.

3A(ii) Financial Feasibility

The financial feasibility analysis for receiving area residential development, with and without TDRs is presented in Table 2. For both scenarios, the construction per house remains the same, \$363,000. The total assumed land cost remains the same for both scenarios. However, the estimated sales value is lower in the scenario with TDRs because each house would have a 2.5-acre lot rather than five acres.

To achieve a 15 percent IRR, a developer could afford to pay \$63,700 to acquire the land under current zoning or \$73,700 to acquire the land if developed with a TDR. Nevertheless, for both scenarios, the residual land value is less than the estimated market value of land. This indicates that these scenarios are not financially feasible under current market conditions.

Table 2: Financial Feasibility of Receiving Area Residential Development with and Without TDRs; Upper Ridge Community Plan Area

	Current Zoning	With TDR	
	Project Total	Project Total	Per House
Total Development Costs	363,000	726,000	363,000
Assumed Land Cost	111,900	111,900	55,900
Total Sales Value	457,000	853,000	427,000
Residual Land Value @ 15% IRR	63,700	73,700	36,900
Feasibility Surplus/(Gap)	(48,100)	(38,100)	(19,100)
	-43.0%	-34.1%	-34.1%

Source: PlaceWorks, 2021.

3A(iii) Implications

The difference in the residual land value between the two scenarios is \$10,000. This means that a developer should be ambivalent between developing under current zoning and developing with a TDR when the cost of a TDR is \$10,000. Lowering the cost to purchase a TDR (through the exchange rate) would create a financial incentive for the developer to use TDRs.

3B. Commercial Lot Analysis

The commercial lot analysis assumes a generic one-acre lot that current zoning would allow to be developed with a commercial building but not allow to be developed with housing.

3B(i) Development Program

The analysis compares the financial feasibility of developing a commercial building to the feasibility of developing a single-family detached house with the purchase of a TDR. The commercial development scenario provides a 8,700-square foot (0.2 FAR) single-story wood frame construction commercial building with a parking lot with 36 parking spaces. The residential development scenario uses the same 2,200-square foot house with a 400-square foot attached garage. Both scenarios use a well and septic system. The analysis assumes in both cases that the one-acre lot has frontage on an existing public road.

3B(ii) Financial Feasibility

Table 3 summarizes the financial feasibility of developing a commercial site under current zoning and as a residential use with TDRs. The analysis estimates that it would cost \$1.1 million to develop the site for a commercial use. With commercial zoning, the analysis estimates that the market rate cost to acquire the site would be \$50,700. In the first full year of operations, the net operating income would be \$93,300 (inclusive of a 35 percent allowance for vacancy and operations. However, this revenue is achieved because the analysis assumes that the building would lease for \$16 per square foot per year, which is relatively high but not unprecedented. Nevertheless, to achieve a yield of 8 percent, the developer could only afford to pay \$14,700 to acquire the site, which represents a feasibility gap of \$36,000 or 71 percent.

For the residential development of this site, the development cost is the same as previous residential scenarios, but the sales value is lower because the lot would be one acre in size. To achieve a 15 percent IRR, the developer could only afford to pay \$11,900 to acquire the site, which results in a feasibility gap of \$38,700 or 76 percent.

Table 3: Financial Feasibility of Receiving Area Commercial with and Without TDRs; Upper Ridge Community Plan Area

	Commercial Building	Residential with TDR
Total Development Costs	1,112,000	363,000
Assumed Land Cost	50,700	50,700
Year 1 Net Operating Income	93,300	
Total Sales Value		398,000
Residual Land Value @ 8% Yield / 15% IRR	14,700	11,900
Feasibility Surplus/(Gap)	(36,000)	(38,700)
	-71.0%	-76.4%

Source: PlaceWorks, 2021.

3B(iii) Implications

Based on the assumptions discussed above, the analysis suggests that a developer would not prefer to use a TDR to build a single-family detached house on a commercial lot. However, this is only the case if the developer/property owner is able to secure a commercial tenant willing to pay the assumed rent of \$16 per square foot per year. At any lower rent, commercial development would not be feasible even if the land were free.

Residential development could afford to pay \$11,900 to acquire the site, but that is without paying for a TDR. Any cost to acquire a TDR would reduce the residual land value. Thus, residential development is unlikely to happen even if the property does not have a viable commercial alternative. It could be possible that building two residential units on the site would improve the feasibility, but at a one-acre lot size, the specifics of the lot would be important in order to determine if the site could physically accommodate two dwellings, two wells, and two septic systems.

3C. Other TDR Alternatives

The analysis considered both rental housing and multifamily housing. In both cases, it found that these alternatives were not financially feasible to be developed using TDRs. The analysis did not evaluate increasing density beyond two units on a five-acre parcel (i.e., the implications of three units on a five-acre parcel). However, it is likely that such a scenario would improve the financial feasibility somewhat.

The analysis also evaluated the potential effect of entitlement and permit streamlining. In most cases, developers obtain a purchase option before pursuing entitlement of a development project. During the option period the developer pays the option cost out of pocket (i.e., it is part of their equity investment in the overall project). However, the option payments go toward the eventual purchase price. Streamlining entitlement and permitting reduces the time from first equity investment to first cash inflow. It also shifts some of the cost from 100 percent equity payments (the option payments) to cost financed with the construction loan (which typically is 50 percent equity and 50 percent financing). Nevertheless, the analysis found that entitlement and permit streamlining would have only a negligible effect on the IRR and the residual land value.

Findings and Recommendations

The analysis indicates that there is not a strong argument for implementing a TDR Program. However, a TDR program would be completely voluntary. Thus, the main argument against implementing a program is if the density change—using TDRs to allow two residential units (or more) on a five-acre lot in or near the developed parts of the plan area rather than just one—is not perceived by the public to be worth the value in limiting new housing in the undeveloped parts of the plan area.

If the County intends to pursue a TDR program further, it will need to define the exchange rate. At the break even point, a sending area property owner would probably need between \$11,500 and \$22,300 per TDR they sell (the lower value is based on current market conditions and the higher number is based on what might be the perceived value of land). A developer pursuing a development project in the receiving area could afford about \$10,000 per additional housing unit authorized. Thus, the break even exchange rate would be that each TDR severed from a property in the sending area and sold would allow 1.2 or 2.2 additional housing units (using the low or high land value estimate in the sending area) to be built in the receiving area. For example, a receiving area developer might spend \$60,000 to purchase five TDRs, which at an exchange rate of 1.2, would give the developer the ability to build six additional houses. The receiving area property owner would receive \$60,000 for selling the right to build five houses, which is \$12,000 per TDR sold. Increasing the exchange rate will increase the incentive for both sending area and receiving area property owners. Based on current market conditions an exchange rate of 1.5 to 2.0 should provide the needed incentive.

To pursue implementing a TDR program further, the next steps would be:

1. Define the sending and receiving areas
2. Establish a process for certifying TDRs that sending-area property owners are allowed to sell
3. Establish a process to restrict development once TDRs are severed from a sending-area property (such as a conservation easement)
4. Establish a process by which TDRs are applied to proposed development projects and retired
5. Finalize the exchange rate
6. Incorporate the previous steps into a County Ordinance

ATTACHMENT D

UPPER RIDGE COMMUNITY PLAN - PUBLIC REVIEW DRAFT COMMENTS AND RESPONSES

January 20, 2022

Commenter	Chapter or Page #	Comment	Staff Responses
Scarlett Miller		<p>I just reviewed the plan and noticed that the proposed Trailway include everything but equestrian use. We have well over 200 horse in the upper ridge alone and a thriving Horse Association with over 200 members who us the Paradise Horse Arena and trails in the area.</p> <p>The equestrians in the area would like to see the trails include an equestrian symbol to be assured we would be allowed access to the trails proposed throughout the upper ridge...we already use many of the trails in the proposed area for horseback riding.</p>	We will review and determine if this is feasible.
Joe & Carrie Cardoza		<p>I completely disagree with additional housing in addition to building out was was lost in the fire. Additional housing, especially multi-family housing, translates into vehicles. Additional vehicles to a region that already has vulnerable roads and evacuation routes IS dangerous and irresponsible.</p> <p>On a side note...I relocated to unincorporated Butte County in 2017 to live in a rural setting with the complete understanding and self-awareness of what that entails both physically and financially. When it becomes a burden or I change my mind and want to live in a community with services, I'll move to an incorporated city that provides them.</p>	Many in the community expressed a desire to see additional workforce housing at the Upper Ridge.
Eric Riley Sr		<p>Is there anything in the works for those of us That lost everything and are rebuilding in the Feather Falls area? Bear / North complex fire.</p> <p>My understanding from fire fighter friends of mine, this fire was caused by the mismanagement by the feds from a lighting strike a week earlier.</p> <p>The local fire department (Volunteers) were kept out from putting out the fire by the Feds. They said they wanted to let the brush burn slowly to the lake. Knowing high wind warnings were forecasted.</p> <p>Well these are two separate issues but I would like to know at least what you know because those of us from Feather Falls feel like all the focus has been on Berry Creek and we have been through two fires back to back.</p> <p>Just this one burned my ranch to the ground. I had a nice home with a great view, A huge shop and stables.plus more. 57 large trees taken out by FEMA.</p> <p>It took them over a year to be released back to county Dec 6, and now I get the chance to start over again. I am one of the lucky ones with good insurance and it's still a challenge.</p> <p>I still need to remove 39 trees they would not.</p>	The county is currently updating the General Plan 2040 which will include community safety measures to protect against wildfires.
Paradise PRPD: Dan Efsaef	3 comments	<p>Our outreach (of course related to parks and recreation) has indicated substantial support for the need for parks and recreation, and don't see why the community would not support a park at Lakeridge. In fact multi-family housing would greatly benefit from having a nearby park.</p> <p>We've received considerable concern on the potential loss of commercial zoning in Magalia, and wondering how that is addressed with the conversion to multifamily housing.</p>	<p>Comment noted.</p> <p>Regarding commercial properties, analysis shows there is enough land zoned commercial in the Magalia Center area besides that being converted to Mixed Use to satisfy demand for the foreseeable future.</p>

If the conversion occurs, then I plead with you to consider science based set-backs and arrangement of facilities to consider the increase ignition risks. This is not flat ground at the same risk of anywhere in the community. You may be putting a lot of people in this high-risk fire zone, there should be responsibilities given to land practices to reduce risks. Some of the high risk areas may be better as commercial space.

Regarding setbacks and arrangement of facilities, we are recommending 100' setback from edge of slope.

John Stonebraker 61 comments

I would rather have been able to review the URCP draft step-by-step as it developed rather than having 44000 words delivered at once. There are dozens of errors that would have been caught by a knowledgeable resident proofreader. It is agonizing to slog through fifty instances of "Skyway Road" which emphasize the from-without origin of the proposed Plan.

We will change Skyway Road to Skyway throughout the document.

It is also physically agonizing to read the lightweight font chosen for this document while fitting an entire page on the screen. I had to learn how to decrypt PDFs and decompose ligatures to convert the document to a 12-point medium-weight font with the same general layout to be able to read through the draft Plan without so many headaches.

Technologies exist to allow readers to enlarge PDF texts.

I would rather have gotten through all of this weeks ago, but I needed too many blood-pressure breaks. Consequently, I will not have time to temper my agitation in these remarks.

The public draft was available for public review between December 10 and Jan 14.

The strategies herein are a mix of "Wouldn't that be nice?" and "What were they thinking?" Quite a lot seems to be cut and pasted from places not at all like the Upper Ridge.

Comment noted.

Creating an overlay for RR-5 parcels under 1/4 acre emphasizes how the RR zoning does not really fit Paradise Pines and similar subdivisions. It would be better to create a square hole than to slightly square off the round hole this square peg has been shoved into.

This issue of RR5 zoning was decided as part of the last General Plan Update. The overlay is a response to people having trouble fitting structures on their lot when they rebuild. .

The zoning could even allow duplex housing by right rather than forcing second units to be under 500 sq.ft (JADU) or detached (ADU) which again conflicts with setbacks on small parcels with septic.

State regulations and Butte County Code currently allows attached ADUs, which are similar to duplex units. Due to constraints of onsite septic systems and small lot sizes, multiple dwellings are typically infeasible.

Note that setbacks should really be at least 15' to maintain defensible space from neighboring buildings. Knapp et al. found that the greatest risk factor in Camp Fire ignitions was proximity to other structures. The correct thing to do for fire safety would be to limit the maximum density in the lower Pines.

Butte Code Chapter 53 currently allows rebuilds to the same footprint of the destroyed structure within two years of clean-up. In some cases, previous setbacks were 5 feet from side and rear property lines. The current zoning requires 10 foot setbacks. Increasing setbacks to 15 feet may restrict future development.

It is good that in this one instance, the Plan focuses on practical considerations rather than fire safety. It is fine for accessory structures that comply with Chapter 7A to be closer than 15' from property lines. But really, 710A.3 should apply in full, even to structures under 120 square feet. This does not appear to be the case at present -- there seems to be no consideration given to smaller structures within existing setbacks. If setbacks are to be reduced further, structures within the reduced setbacks must use Chapter 7A ignition-resistant or noncombustible construction.

We will review and change if appropriate

<p>Strategy LU-4.1 is one of many half-steps in the right direction. It would be good for County departments to work together to attract business to the Upper Ridge. It would be better to have someone focus on this as Colette Curtis has done for the Town. If we had any self-determination, we too would have assigned someone to bring in a new hardware store and a new donut shop and provide not just jobs and amenities but social spaces to renew acquaintances. The County should have created something comparable to Sonoma's Office of Response, Recovery and Resilience. And still could, as we are at most an eighth of the way into our recovery more than three years after the Camp Fire. Those of you in communities where basic services have not been destroyed by arson cannot understand the depth of our need.</p>	<p>The Butte County Economic Development Strategy includes actions to work with partners throughout the county to mitigate for the loss of businesses and industries caused by disasters.</p>
<p>This place would never have been allowed to develop with so many homes and so few businesses if services were not available just down the road in Paradise. And now they're not, and they won't be for quite some time.</p>	<p>Comment noted.</p>
<p>Please note how Strategy LU-4.2 conflicts with the intentions of Paradise RPD who just used our money to purchase land on Lakeridge Circle to ensure a business and two homes could NOT be rebuilt. They will now attempt to have this rezoned for their own purposes contrary to the consensus of the Upper Ridge community. I note that the maps in the draft Plan show a new building on 066-340-005 zoned Recreation Commercial, suggesting you all were in on this before we were.</p>	<p>The proposal for a commercial facility next to the proposed park was generated from comments during outreach. In any case the Magalia Center concept is very high level and conceptual and will probably not look like what is drawn. The goal is to have a truly mixed use area, with housing, commercial and open space all contributing.</p>
<p>Ampla has something like a medical clinic on Lakeridge Court, but yes it would be nice to have something like an Urgent Care up here, especially as Feather River Hospital won't reopen before 2024 if ever. Skyway and Neal is a long way down the hill.</p>	<p>Comment noted.</p>
<p>Allotment gardens are valuable in cities with small lots and multi-family housing where residents might not have space for a home garden. Here, everyone is on septic and consequently has plenty of space for raised beds. I suppose someone who still has shade trees might want a patch of bare ground, but I question whether demand for garden plots suffices to make this the highest and best use of Magalia Center acreage. It would be better than a weedy burnt lot, at least.</p>	<p>Some community members suggested public garden plots, but other uses would be beneficial also. The hope is that whatever happens should be supported by the community.</p>
<p>Several of these strategies expect Magalia Community Park to take on additional responsibilities across the street in addition to running the clubhouse and golf course. That's not going to happen without funding; there are not enough volunteers.</p>	<p>Magalia Community Park is a shining example of volunteerism, so it is natural to hope that some of that could apply to other endeavors. However, no one will be coerced.</p>
<p>Strategy MC-1.1 seeks to partner with URCC. Strategy MC-1.2 and MC-1.4 seek to partner with Magalia Community Council, whoever that entity might be.</p>	<p>This will be corrected.</p>
<p>The "promenade" seems adequate for now, at least when it isn't blocked by burnt deadwood (as it was often throughout 2021). Yes, there should be some entity to take care of this, but the Skyway Plaza association apparently dissolved.</p>	<p>Comment noted.</p>
<p>You may remember that we tried to have a one-time festival on the promenade for July 4, 2019, and it was shut down over permitting issues. If this is something you want to have happen, and you want volunteers to make it happen, you have to lower barriers at your end.</p>	<p>The County has a process for issuing festival permits and tries to make sure events can happen. We don't know the exact circumstances behind not issuing a permit but we are looking into it.</p>

<p>The Upper Ridge is a vast natural wonderland surrounding an urban cluster. We have more recreational facilities than this Plan begins to acknowledge. The National Forest parcel behind Boulder Drive with the existing trail to Little Butte, for instance. If you want to create restrooms there, and at the flumes, and at POA trailheads, great. Just be aware that's what you're proposing.</p>	<p>The Plan seeks to meet the desires of the community to have restrooms available at recreational facilities, where needed. Future restroom locations will be determined as new trailheads and other facilities are funded and designed, in coordination with entities like the PRPD.</p>
<p>Strategy PUB-1.3 to ensure regular maintenance of private open spaces sure as hell comes with a cost. The POA does not have the volunteers, as you acknowledge. It is not what clear what you mean by "inviting and safe for all visitors to enjoy." There are inherent accessibility issues with the Upper Ridge terrain. Getting a wheelchair down to the Middle Butte trail from Colter at Masterson is not possible within the POA Common Areas -- it would take an easement from neighboring property. The eventual Loop Trail will have similar issues with both slope and cross-slope, particularly with the sub-optimal routings depicted on the draft Plan maps.</p>	<p>This strategy seeks to ensure that public facilities, parks and private open space are properly maintained for health and safety purposes. The intent is to provide a variety of recreational experiences, and ensuring to provide accessibility, where possible. Future trail design will be in coordination with the PRPD.</p>
<p>If instead you mean not menaced by hostile squatters or xenophobic neighboring landowners, that would be lovely but fanciful.</p>	<p>Comment noted.</p>
<p>A coordinated recreational needs assessment would also be lovely. Paradise RPD has chosen to go in a direction contrary to public sentiment, and a community survey done by anyone other than them would be a fine talking point in the 2022 campaign and springboard for the incoming directors in 2023. Again, the cost would be non-negligible.</p>	<p>Comment noted.</p>
<p>If CDF or OEM wants to pay to maintain refuge areas, that's fine if it does not diminish regular use of that space. CDF has been overzealous in reducing the shade canopy that survived the Camp Fire. Additional clearcutting or patch-cutting to turn our remaining spiritual refuges into wildfire refuges would not be welcome.</p>	<p>Coordination will take place with the applicable agencies to determine site feasibility.</p>
<p>When I saw CIR-1.1 in Chapter 6, I assumed the Task Force would be people who lived here. The matrix suggests that it's not, so let me give you my scoring. One point for Athens to Honey Run, two points for Hupp-Coutolenc, three points for Doe Mill to Garland, four points for Centerville to Covered Bridge, ninety points for improving Skyway because that's the road people use every day.</p>	<p>Task Force would include community residents. We will change matrix to include community residents/representation in "Partners" column.</p>
<p>Some people up here got stuck in a line of vehicles on November 8 and remain obsessed with improving throughput for vehicles. Roads that day were blocked by vehicles -- not by trees, not by utility poles, but by vehicles, abandoned or occupied. I got on a bike and had no problems.</p>	<p>Comment noted.</p>
<p>Vehicle traffic is a gas that expands to fill any available volume. Additional lanes will be filled by drivers incentivized to drive.</p>	<p>Comment noted.</p>
<p>If the County wants to widen existing roadways to Board of Forestry standards, that's not the worst use of public funds, but it really shouldn't be necessary.</p>	<p>Comment noted.</p>
<p>Improving Skyway to make it less harrowing for non-motorized travel should be a higher priority. Yes, I remember the Paradise Master Transportation Plan survey where 98% of the respondents were motorists who wanted every inch of pavement for themselves. The relevant sections of Skyway and Pearson in Paradise at least have sidewalks. Here we have nothing. Half-lanes would be very much welcome.</p>	<p>Comment noted.</p>

Strategy CIR-2.1 mentions Skyway Road, which does not exist, from Pentz to De Sabla, and it is not clear whether it means New Skyway or Skyway through Old Magalia for the first part. The stretch of (Old) Skyway leading up to the overlook/historical marker can't really be widened as there are steep cutbanks on either side already. Adding a bike lane or non-motorized trail here would require a scaffold. Or appropriating the driveway to 13645 and coming out at Ridgeview. Significantly widening New Skyway would also require massive earthworks and retention walls at great expense not justified for bike lanes if the intent is to run a trail up old Skyway anyway. But the maps indeed show blue highlight for bike/ped improvements on New Skyway, which I assure you is harrowing on a bike and ludicrous on foot.

The intent is to use Skyway through Old Magalia- the challenges are substantial but it looks like the best option for now. We will revise to clarify. Further study should be undertaken before a final alignment is set.

Improving Skyway across the dam is not by itself sufficient if you do not also improve Skyway between the dam and the depot. Most of this is a cut through serpentine, and you could just blast the road wider. Or you could utilize what is now Pine Needle which used to be Skyway across the face of the dam.

Comment noted.

West of the dam and south of the depot, there are already four vehicle lanes split between parallel routes. If you try to add pavement between the depot and the bottom of Dogtown, motorists will absolutely demand every inch. Bicycle and pedestrian improvements across the dam crest are not politically feasible.

Comment noted.

Climbing Skyway from the dam to South Park, the existing shoulder is sufficient for a bicycle at uphill speeds. Descending from South Park to the dam, the shoulder on the southbound side is not nearly sufficient, especially for negotiating a curve at speed. Everyone knows Three Feet For Safety is on the books as a lesser charge to plead down to from Vehicular Homicide and never actually enforced, so the only way not to get illegally passed is to match the speed of traffic. There should be a better way for cyclists and especially pedestrians to get from South Park to Old Magalia, and a wider shoulder probably isn't it.

Comment noted.

If the Plan is indeed to widen shoulders along Skyway, be advised that the rumble stripe on Skyway below Paradise is a crash hazard, and the FHWA guidance for passable gaps between sets of shallow grooves should be followed rather than Butte County prior practice.

We will add text to follow FHWA guidance.

Between South Park and Ponderosa, a bike lane is absolutely warranted southbound but unnecessary northbound as bikes can proceed up through the parking lots, up the promenade, or entirely around Lakeridge Circle. This is not the place to spend \$80/linear foot. I can give you detailed block-by-block advice on how to improve Skyway through town as a thousand bike rides have taught me every inch and every hazard.

Comment noted. We will discuss and potentially change text for bicycle facilities on Skyway heading north.

<p>CIR-2.2 should conditionally support the Lake Loop Trail, but not necessarily Paradise RPD's plan. They want to make our public lands more accessible to people coming up the hill but not necessarily to us. The conditions in the Chapter 6 statement of CIR-2.3 are correct: ensure trailheads and connector trails from Upper Ridge neighborhoods to the Loop Trail are provided. The maps in the draft Plan conspicuously fail to show trailheads from Fir Haven such as at Boulder Drive and mention only a potential trailhead off Steiffer while such things as Union Pacific's consent to turn their right-of-way into a trail are simply taken for granted.</p>	<p>Comment noted. We will discuss adding trailhead at Boulder Drive to the map.</p>
<p>This Plan is the roadmap for our recovery, to restore quality of life for residents of the Upper Ridge. Creating amenities for visitors is ancillary.</p>	<p>Comment noted.</p>
<p>There are four transit stops along Lakeridge. Two northbound and two southbound. I guess none of you have ever used any of them, but I've used them all. The northbound 41 stops on the Dollar General side and the Post Office side. The southbound 41 stops on the Rite Aid side and the Sav-Mor side. I don't know how this draft got this far while getting this and dozens of similar details wrong when you could have asked someone who lived up here to proofread. It was exasperating slogging through it all. I am trying to keep most of that nitpicking out of these comments and will provide it later under separate cover.</p>	<p>Comment noted.</p>
<p>Yes, we absolutely should be encouraging transit on the Upper Ridge. Especially as we have lost so many services up here and in Paradise that trips to the valley have become more necessary yet more onerous as B-Line has curtailed service to meet farebox ratios with the loss of passengers between Chico and Paradise. If a bench or a light encourages someone to take the bus instead of bumming a ride, great. That's a tiny step in the right direction.</p>	<p>Comment noted.</p>
<p>The entire resiliency chapter could have come out of an algorithm, much like the environmental hazard disclosures in EIR packets.</p>	<p>Comment noted.</p>
<p>We are not going to be defined by the Camp Fire. We are not going to shape our town around the possibility of another eleven-figure corporate arson. Eight thousand of us still happen to live here, and we have far greater issues in our everyday lives up here than the sort of wildfire that happens zero times in 170 years of California history.</p>	<p>Comment noted.</p>
<p>Additionally, RCP 8.5 figures from cal-adapt are not realistic when widespread adoption of half-measures like this draft Plan will prevent RCP 8.5. It is more realistic to plan for nuclear winter than for RCP 8.5. A full-throated rejection of car culture and consumerism would be better still if perhaps not yet politic.</p>	<p>Comment noted.</p>
<p>The Upper Ridge has no shortage of water. We get more rain in a drought year than the valley gets in a good year. Paradise Irrigation gets more water from Little Butte than they can sell, and they do sell part of their surplus to Del Oro. If they needed even more than that, they could get it from Hendricks, though you'll soon need to talk to Tollhouse about that. Domestic water conservation hardly matters up here in comparison to the Butte Creek Adjudication and the usurpation of our riparian rights to emit methane from rice paddies as an allegedly beneficial use. This is not Gibraltar or Day Zero in Cape Town. Any apparent shortage of water is manufactured.</p>	<p>Comment noted.</p>

For domestic well users, there may indeed be a shortage of water, particularly on Nimshew Ridge if the Upper Centerville gates get shut off again, and the Plan should protect this historical use and the ecosystem that has depended on that flow of water for more than 100 years.	Comment noted. Strategy HS 1.1 is intended to develop alternative water supplies throughout the Plan Area during drought conditions. In many cases, the wells along Nimshew are very deep (upwards to 1,000 feet deep) to ensure water reliability.
The Plan should include many other things it has left out, but since some of my suggestions may be beyond its scope, I will include those too under separate cover and address some at the Planning Commission.	Comment noted.
Yes, Magalia Dam needs to be reconstructed or replaced. Yes, the Plan should support this. This is a really big deal.	Comment noted.
The thousands of tons of pine that beetles kill here every year is several orders of magnitude more than local artisans could utilize. It's bewildering to see these two items in the same matrix.	Comment noted.
Yes, it would be great to have a facility on the hill to make use of all the wood being taken out and all the wood that would be taken out if it wasn't so expensive. Not necessarily a facility within the Plan Area -- Stirling City or Hupp's Mill would be fine.	Comment noted.
Strategy HS-1.11 wants to accommodate the migration of plants when we have more than enough invasive species.	Staff recommends removal of plants from this strategy.
This is not Berkeley; we do not build on every square inch of ground here. Landslide-prone slopes are areas we already avoid.	Comment noted.
This is not Gridley; we do not have West Nile mosquitoes here. Or malaria or chikungunya.	West Nile Virus is active in Butte County. The number of reported infections are anticipated to continue as temperatures increase due to climate change.
We would be happy to have the Oro Fino circuit hardened with aerial cable.	Comment noted.
Undergrounding is not really worth the cost where other infrastructure like Del Oro underground services exist. The Paradise circuit that covers most of the burn scar is probably going underground anyway so the whole thing can stay on even in the most hazardous conditions.	Comment noted.
The micro-grid failed its first test earlier this winter, as no one in a blue shirt bothered to flip the switch after the circuit went down. Nothing managed by PG&E can be relied on in any fashion.	Comment noted.
Off-grid generation and storage is great, but please remember that half of this town still has a heavy conifer canopy, and solar photovoltaic will not work as well here as down in the burn or down in the valley.	Comment noted.
If strategy HS-1.27 requirements for landscaping projects are to be incorporated into plan review, that won't affect individual homeowners doing yard work, but that scope should be made clear.	We will revise the strategy to be for 'new' landscape projects for single-family residential, multi-family residential, and commercial developments.
The draft Plan was written in advance of the ALERT FM rollout, and sections like HS-2.1 should acknowledge this additional mode of emergency communication.	Will review and change language if appropriate.
No one here has been asking for a resilience hub. This is a top-down design from afar. If someone wants to spend seven figures on one, that's better than a burnt vacant lot, but it's not the highest utility seven figures could obtain.	Comment noted.

Strategy UI-2.1 addresses setbacks for drainfields. Code section 10-9 exempts them from setbacks if Environmental Health and Public Works agree. Nik Ostrovskiy told me his department had no objection, but I have not been able to get concordance from Josh Pack or Public Works.

Comment noted. Strategy has been reviewed by County staff.

This can be resolved at staff level without amending the ordinance and involving the capricious Supervisors. And it does not need to be limited to lots under a quarter acre, as corner lots of 0.27 have the same problem as well.

Comment noted. We will review to see if size should be changed.

Yes, we need broadband. Specifically, wired broadband, as again the canopy can interfere with wireless reception. It would be great to have a local telecom cooperative instead of having to beg the monopolies for scraps, but I suppose the Plan has its limitations.

Comment noted.

It is 15:56, and I have at least another five thousand words to write, which I will do gradually between now and the 27th. Again, I could have contributed far more had I been given an earlier opportunity.

Comment noted.

Despite all my griping, the Plan is mostly good, and I am particularly pleased to see some effort for non-motorized transportation and transit.

Comment noted.

John Stonebraker 20 comments

It's good to have some kind of aesthetic guidelines for new multi-family housing to prevent the sort of community resistance that might be evoked by Soviet brutalist mid-rises. These particular guidelines are not particularly suited to the Upper Ridge, to the WUI, or to unsewered communities in general. I don't know how they got to this point since local leadership was not included in the process of their creation. I don't see anything in the workbook survey from which they might derive.

Comment noted, and following comments with specific recommendations are appreciated.

The recommendation to set buildings 10' to 25' from the right-of-way does not mesh with the existing built environment. County code section 10-7 establishes a setback of 50' from centerline. Most county roads on the Upper Ridge have a 60' ROW, so buildings have been built at least 20' back from the edge of the ROW. There is at least one stretch of Skyway with an 80' ROW, but new buildings along that stretch placed much closer than the existing buildings would not integrate well.

Comment noted. This setback is partly precipitated by the need for setback to slope on the east side of the Lakeridge Circle lots.

The illustration on page 10-3 shows three-story residences. I can think of buildings on the Upper Ridge with two stories and an attic but none with three stories between the threshold and the eaves. Maybe just the house behind De Sabla Market before it burned down. Certainly there are no three-story buildings downtown. Housing resembling this illustration does not belong anywhere within the Plan Area.

Comment noted - we will review.

What does "the top of the eastern facing slope" mean? Figure 4.1 has a dashed line supposedly representing the transition between 2-15% and 15-30% slope but not true to the LIDAR data I processed for you more than twelve months ago. If you mean 100 feet back from the 15% slope, make that explicit.

We will change text to be more specific.

If you're going to create an unbuildable area back there, that's where the drainfield should go -- below the buildings on the 5-15% slope. It is inefficient to locate any part of a shared drainfield on the ridgetop above the lower-lying buildings.

Septic is a possibility in that location, but it is also a place where parking can go. The goal is to allow enough flexibility to retain feasibility.

Page 10-4 says certain types of fencing are "not permitted." If these guidelines are non-binding as described on page 10-2, inappropriate types of fencing should be "deprecated" rather than "not permitted."

We will revise text.

<p>The provision for subsurface parking is incongruous and makes me wonder where these guidelines were sourced from. This area is on septic, not sewer, and cannot achieve the sort of density that would make subsurface parking cost-effective.</p>	<p>We will review and consider revising text.</p>
<p>The requirement for regularly spaced lighting at entrances from public streets is also out of tune with existing development. Instructions to mitigate light pollution do temper that somewhat.</p>	<p>Comment noted.</p>
<p>Intersections between roof planes attract debris and should be discouraged throughout the WUI. 6:12 pitches are not necessary without gratuitous intersections turning them into 6:17s. Roof vents should also be discouraged in favor of air-admittance valves and heat exchangers.</p>	<p>We will review and consider adding text.</p>
<p>Again, the illustration on page 10-5 does not look like anything that exists here now or should.</p>	<p>Comment noted.</p>
<p>Advice to plant non-native trees that require abundant water during our dry season is not compatible with Chapter 7 resilience principles. <i>Acer macrophylla</i> and <i>Populus fremontii</i> will thrive here but only in riparian corridors. The only wild cherry trees I know of up here are on the West Branch of Middle Butte. We do have hardwoods that will thrive on high, dry ground like <i>Cornus nuttallii</i> and especially <i>Quercus kelloggii</i>, but this is ultimately the California mixed conifer biome and that is our aesthetic. If we wanted barren branches in wintertime, we would live somewhere else.</p>	<p>Comment noted.</p>
<p>You have managed to introduce a typographical error while pasting from readyforwildfire.org. There are so many similar oversights that I will address them separately from the substantive concerns.</p>	<p>We will correct the link.</p>
<p>Cottage courts do not need to be two stories tall, particularly if they share a laundry room, exercise room, etc. instead of replicating features in every unit. I don't know if anyone has the ambition to create cohousing on the Upper Ridge, but I would encourage the attempt.</p>	<p>Comment noted.</p>
<p>Townhouses absolutely do not need to be three stories. Townhouses are a product of deep, narrow city lots maximizing the number of ratepayers per mile of sewer. When your house cannot be more than 20' wide, it makes sense for it to be three stories tall. That does not in any way apply to the Upper Ridge, and this type of construction is just as out of place here as brutalist mid-rises would be.</p>	<p>We will review.</p>
<p>I would be happy to see duplex housing up here, whether side-by-side or upstairs-downstairs. But duplexes that look like houses would fit in better than duplexes painted in two different primary colors. Again, three-story residences do not fit here. The illustrations on pages 10-10 and 4-9 are not of this place.</p>	<p>Comment noted.</p>
<p>And again, garden apartments do not need to be three stories high. The cost constraint is not the area of the foundation; it is the area of the drainfield required for that many bedrooms.</p>	<p>Comment noted.</p>
<p>There might be places within the Plan Area where three-story housing would not be an eyesore. Maybe on one of the lots between Hollywood and Woodward. But within the burn, there are not enough trees, and new buildings that are taller than any existing buildings will stand out as unwelcome.</p>	<p>Comment noted.</p>

Also unwelcome would be sprawling complexes of mostly asphalt which these guidelines do correctly discourage. Comment noted.

What the design guidelines and Magalia Center sketches conspicuously omit is complexes where one of the tenants is a business. Efficient use of a 300' deep lot backing to open space might be to rent the front part of the lot to a business, such as a sandwich shop, with multiple dwelling units in the back. Yet the guidelines consider only purpose-built rental housing like you'd find in MHDR, and not mixed-use development or live/work units like you might find in MU. Rather than building a hundred housing units on Lakeridge, it might be better to build ninety-seven along with three businesses the population would support. We will review text to ensure guidelines do not discourage mixed use.

The guidelines also omit two-story four-plexes, which are well-suited to the N-C and G-C lots in Midtown and which already exist there. They already fit smoothly into that transitional zone between single-family detached and commercial. More four-plex housing should be encouraged, especially through the Small Rental portion of the CDBG-DR allocation. This is housing that fits here, not shoehorned from Davis, and the guidelines should not imply that you can build two, three, or twelve units of housing, but not four. We will review and add guideline if appropriate.

I have a lot more to say about things left out of other chapters, but I need to take time out to address the Fire Safe Regulations, since our local efforts to create new housing are futile if Gilless and Wheelers have their way. More on the Plan later this week. Comment noted.