



- CITY OF BIGGS -
PLANNING DEPARTMENT ACTIVITY REPORT
October/November 2015

465 C Street /
P.O. Box 1134
Biggs, CA 95917

PHONE: (530) 868-5493
FAX: (530) 868-5239

DATE: November 10, 2015
TO: Honorable Mayor and Members of the City Council
FROM: Scott Friend, AICP - City Planner
SUBJECT: Planning Department Monthly Activity Report – October/November 2015

DEPARTMENT ACTIVITY SUMMARY

Contract Staff Days/ Agency Meetings / Code Enforcement Activity:

- Code Enforcement Weekly Hours (+/-7hr. per week)
- City Council Meeting: November 10, 2015
- Butte LAFCO Meeting: November 5, 2015
- Downtown Biggs Code Enforcement Meetings/Discussions (numerous)
- Downtown Property Owner Meeting with Mr. Pete Montez: October 19, 2015
- MSR/SOI Review Meeting with LAFCO Staff: November 2, 2015

Major Project Activity and Work Effort Update:

1. *Wastewater Treatment Plant Land Application Project Environmental Compliance and Site Annexation and Entitlement Projects:*

Various activities have occurred, or have begun to occur, during the past month. 1) Staff has initiated the effort to prepare the Butte LAFCO annexation application for the land application site; 2) staff has scheduled a meeting with the California Department of Fish and Wildlife (CDFW) to address Agency concerns regarding potential project-related impacts to Giant Garter Snake; 3) the LAFCO Commission was presented for review the City's Municipal Services Review (MSR) and Sphere of Influence Amendment request which would place the land application project site into the City's LAFCO-approved sphere boundary; and, 4) the required Section 106 Consultation has been initiated by the State Department of Water Resources (DWR) addressing compliance with cultural and historic resources. Additionally, staff will be initiating a pre-annexation consultation effort with Butte County on the site in the coming weeks.

2. *Municipal Services Review (MSR) and Sphere of Influence (SOI) Amendment:*

The City Planner and City Administrator met with LAFCO staff on Wednesday, November 2nd to discuss the City's Municipal Services Review (MSR) document, review the draft Sphere of Influence (SOI) amendment request map, and discuss the scheduled November 5th LAFCO Commission meeting at which the City's MSR document, SOI Plan and SOI Map will be presented to the Commission. The current plan by LAFCO staff is

to have the MSR and SOI Plan documents, along with the proposed SOI map, presented to the Commission as a discussion item in November with action on the documents to occur in December. At this time, City staff concurs with the recommendation of LAFCO staff on the boundaries of the proposed SOI map. Three substantive changes were made by LAFCO staff to the map originally submitted to LAFCO. Those changes involved the expansion of a proposed Special Study Area for parcels east of Highway 99 and north of Rio Bonito Road; elimination of a proposed Special Study Area on the Garcia property on the west-side of the City; and, placement of the Special Study Area designation on parcels located in the vicinity of Chatfield Road between the railroad tracks and Highway 99.

3. *Downtown Code Enforcement / Hazardous Building Abatement:*

With one exception, no substantive changes or activities have occurred on any of the structures in the Downtown area since the issuance of the formal "red-tag" notices and Notices of Violation. The one exception would be the removal of the front metal awning from the Pharmacy Building (Fiedler) and the initiation of activity to remove the wooden addition on the back of the same building. Mr. Fiedler's efforts are appreciated and upon completion will leave only one remaining issue to be addressed at the site (failing roof).

Staff continues to have a dialogue with those owners willing to talk and has had conversations with Mr. Pete Montez and various potential buyers of the Colonia Hotel. Additionally, Mr. Matthauser has been in contact with City staff about concerns about the removal of his building west of the Pheasant Club (e.g. building with no roof). Staff is working with the County Building Department to address the concerns of Mr. Matthauser in this regard but does not yet have a response to his issue.

A prospective buyer of the Colonia Hotel Building has been in contact with staff on numerous occasions over the past few weeks and has put forth a concept plan for staff's review involving the construction of townhome and rental unit spaces inside of the building. Staff will forward information to the Council on this development when and if a formal submittal is made to the City.

Second notice letters have been prepared and are awaiting mailing for all of the properties originally receiving violation letters. At this time, staff is holding-off on the mailing on these letters until such time as a meeting with County Building staff has occurred to address a number of property owner questions. Staff anticipates that this meeting will have occurred prior to the Council meeting and we will update the Council as to the results of that meeting on the 10th.

At this time, staff has granted compliance time extensions to Mr. Fiedler, Mr. Montez, and Mr. and Mrs. Ambagis for compliance as a result of action agreements have been made. Additionally, staff is actively working with Mr. Matthauser on issues associated with his structure and will not be sending Second Notices of Violation for these properties for the foreseeable future to allow time for the completion of compliance activities.

4. *CDBG Reporting:*

Staff has initiated the effort to update the City's CDBG and HOME program annual and quarterly reports and is working with the City's Finance Director to secure the information to complete this effort. It is anticipated that the draft reports will be completed in early-to-mid December.

5. *Housing Related Parks Grant:*

The Notice of Funding Availability (NOFA) for the *Housing Related Parks Grant* (HRPG) program was issued by the State during the week of November 2nd. The HRPG is a grant program designed to provide financial reward to City's permitting the development of deed-restricted low- and very-low income in their communities. The monies received from the program are required to be spent on parks and recreation amenities supporting the City and the residents of the low- and very-low income housing. Staff currently believes that the City of Biggs, due to the work in the North Biggs Estates project, may qualify for the receipt of a significant amount of money for parks and recreation purposes (\$75,000-110,000k). Staff has been in contact with the program manager to address application requirements, timing, etc. and anticipates coming back to the Council in December with a request for funding to prepare an application for this program. Additional information will be provide at that time on the details of the grant and the probable grant award. At this time, staff believes that the costs associated with the preparation of an application for this program would appear to be in the neighborhood of \$6-7,500k range.

Monthly Department Activity Report:

1. *Land Development Applications: None*
2. *Planning Service Activities:*
 - Applications: None
 - Code Enforcement
 - Citizen and Landowner Contacts: *Numerous*
3. *Public Contact (non-Code Enforcement/non-application) / Information Requests/ Activity:*
 - Multiple. Subjects: Flooding; Earth Work Activities on West Biggs-Gridley Road; Rice Truck traffic; and, use and construction of metal or portable carports.
4. *General Information / Public Contact for Planning-Involved Code Enforcement Activity:*
 - Please refer to Code Enforcement Monthly Activity report for details
5. *Butte County Building Permit Issuance:*
 - *Please see attached building permit activity reports.*

Misc. Planning-related Communications/Updates:

- None

Attachments (x3):

- LAFCO-staff Proposed Sphere of Influence Amendment Map and Report
- Code Enforcement Activity Report – October 2015
- Building Permit Issuance / Application Reports – Butte County: October 2015

**MEMORANDUM
LOCAL AGENCY FORMATION COMMISSION**

TO: Local Agency Formation Commission

FROM: Stephen Betts, Deputy Executive Officer

SUBJECT: **Agenda Item 4.2 – City of Biggs Sphere of Influence Update**

DATE: October 28, 2015, for the meeting of November 5, 2015

Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) empowers LAFCo with the responsibility for developing and determining the Sphere of Influence (SOI) of each local agency within the county, and for enacting policies designed to promote the logical and orderly development of areas within the spheres. A SOI is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCo. The intent of a SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future (i.e., 10-20 year horizon).

The City of Biggs has requested that the Commission update the City's existing SOI, which, if approved, would add 149 parcels, totaling approximately 1,815 acres, to the City's SOI (see **Exhibit A**). The City also proposes to remove seven parcels totaling approximately 37 acres from the City's current SOI. The City's current SOI is 151 acres (exclusive of the area within the City's jurisdictional boundaries) and with the addition of the 149 parcels and the removal of the seven parcels, the City's SOI would be approximately 1,929.5 acres in size. To support the updated SOI, the City's current Municipal Service Review (MSR), which was approved by the Commission in 2008, must also be updated and then readopted by the Commission.

The intent of the updated SOI is to provide the City of Biggs with adequate area to meet housing, commercial, and industrial needs for future anticipated population growth. The updated SOI would also provide for the future annexation of land along State Highway 99 for commercial, mixed use, and medium density residential uses, which could result in a significant increase in sales and property tax revenues to the City. The updated SOI would extend into the LAFCo-designated Biggs-Gridley Area of Concern, where growth for these two cities is anticipated to occur.

Using the services of a consultant, the City prepared administrative drafts of the updated MSR and the SOI Plan, which are currently being reviewed and revised by LAFCo Staff. Upon completion of Staff's review, both of these documents will be released for a 21-day public review period. It is anticipated that the Commission will review these documents at its December 3, 2015, meeting.

Land Uses in SOI Update Area

The City of Biggs adopted their 2030 General Plan in January 2014, which assigned land uses designations to all of the parcels within the City's Planning Area. As shown on Exhibit B, land uses within the updated SOI include residential uses at various densities, commercial and industrial uses, mixed uses, and agricultural uses. Exhibit B shows the whole City of Biggs' Planning Area; however, the SOI Update will only include the area within the proposed SOI and not the whole Planning Area. The City has not rezoned the SOI Update area and must do so before an annexation proposal can be submitted to LAFCo.

Special Study Areas

Two Special Study Areas, which encompass 66 parcels and totals approximately 774 acres in size, are proposed for the updated SOI. Butte LAFCo Policy 3.1.10 allows the Commission to create a special study area within an agency's sphere of influence. Section 3.1.10 states that in instances where the Commission determines territory should logically be included in an agency's sphere, but the sphere category cannot be immediately assigned until additional information is available, a special study area may be designated until more information is available. Annexation of territory within a special study area may not occur until the Commission, through the SOI amendment process, removes the special study area designation and assigns a specific sphere category to the area.

The Northeast Special Study Area encompasses a 286-acre area that is designated by the City of Biggs General Plan for agricultural commercial, light industrial, mixed use, and commercial uses. This Special Study Area includes all the SOI area that is located on the east side of State Highway 99. The South Special Study Area encompasses a 488-acre area that is designated as Agricultural by the City. The South Special Study Area is within the Biggs-Gridley Area of Concern.

City of Biggs Wastewater Treatment Plant Improvement Project

The City of Biggs is currently constructing the City's wastewater treatment improvement project that would allow for the storage and surface application of treated effluent on a 160-acre area just south of the City's wastewater treatment plant. This area is not within the City's current SOI but will be included in the SOI Update. The City has not rezoned this parcel but on October 27, 2015, the Biggs City Council will consider rezoning the area P-Q (Public/Quasi-Public) and consider initiating annexation of this area to the City of Biggs.

Size of Updated SOI

As previously noted, the size of the City of Biggs' updated SOI will be significantly increased, from its current size of 151 acres (exclusive of the area within the City's jurisdictional boundaries) to approximately 1,929.5 acres in size. Two areas totaling approximately 774 acres, or 40%, of the updated SOI will be designated as Special Study Areas and no annexations within these two areas can occur until such time as the Commission approves a specific sphere of influence category to these areas. The updated SOI will also include the City's wastewater treatment plant improvement project, which totals 160 in size. A large portion of this area can be utilized for agricultural purposes. It should also be noted that approximately 874 acres, or 45%, of the updated SOI would be within the Biggs-Gridley Area of Concern, an area that has been designated as growth areas for these two cities.

ACTION REQUESTED: Staff requests that the Commission review the proposed City of Biggs SOI map and provide direction to staff as to the appropriateness of the proposed SOI boundary. The Commission cannot take any formal action on the SOI Update at the November 5 meeting.

Attachments:

Exhibit A – Map of Proposed SOI

Exhibit B – Map of Proposed SOI with City of Biggs General Plan Land Use Designations

Legend

-  Proposed SOI Special Study Areas
-  Proposed City of Biggs SOI
-  WWTP Enhancement Project Area
-  Biggs-Gridley Area of Concern
-  Biggs Current SOI
-  City of Biggs

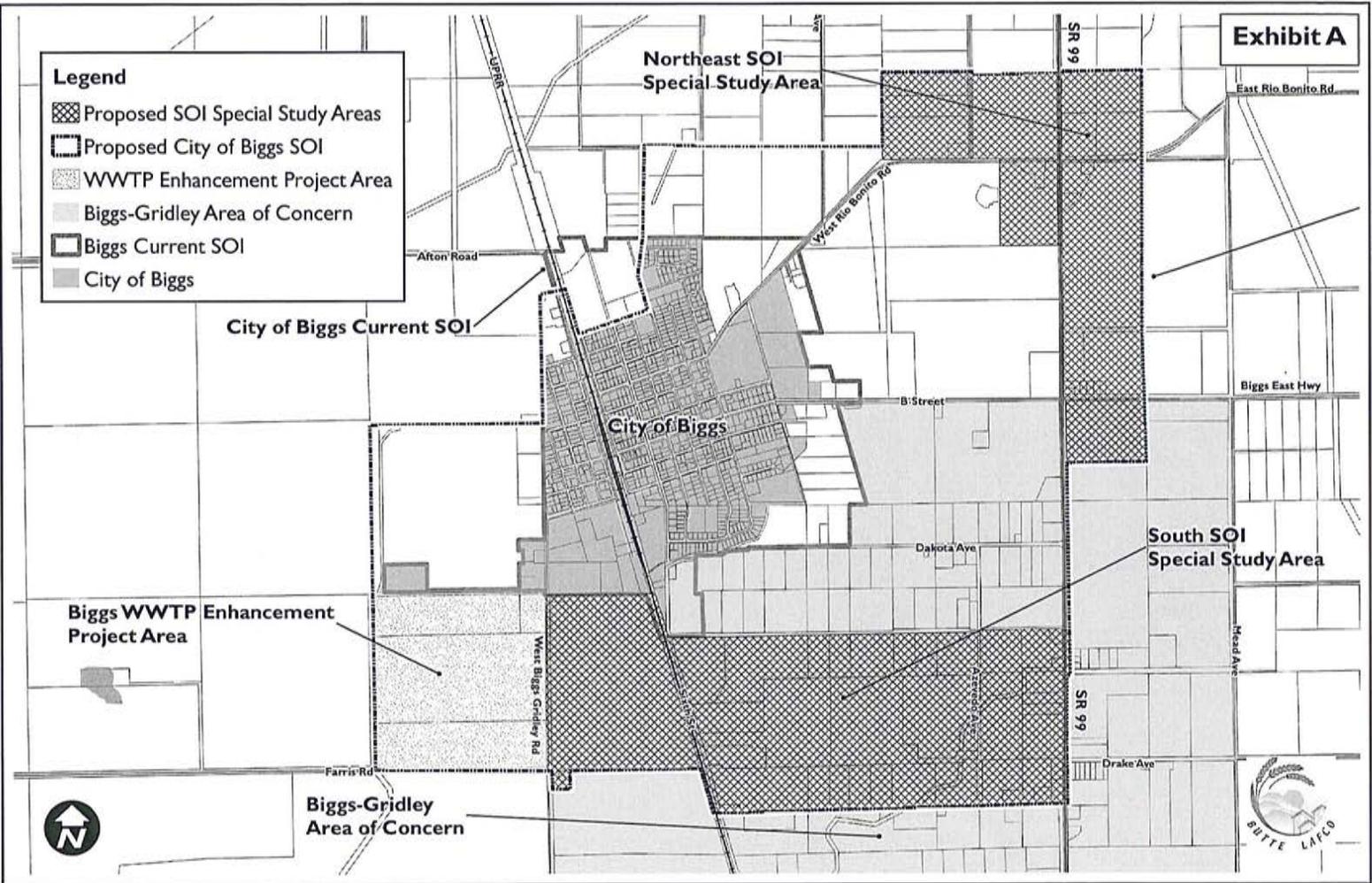
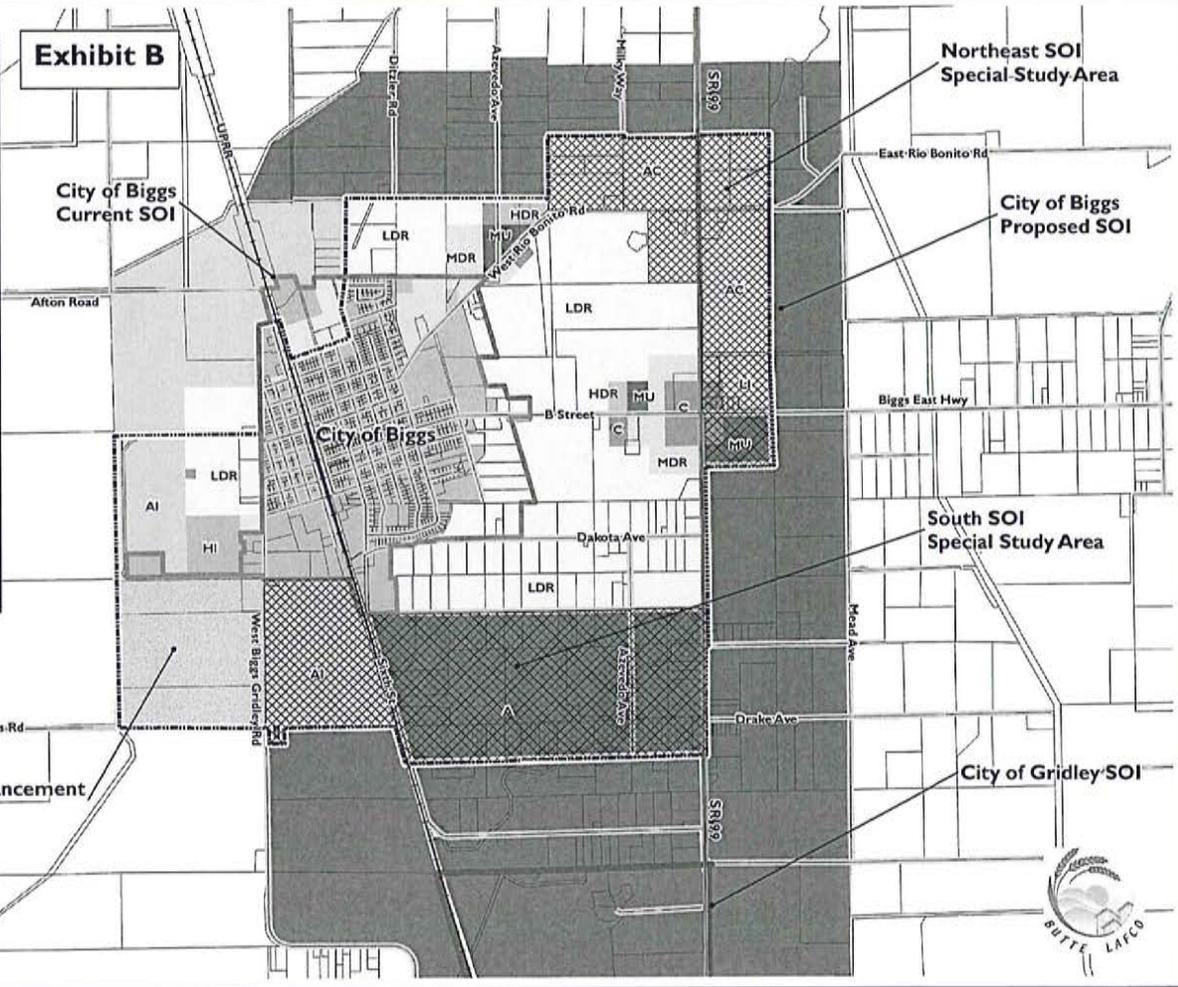


Exhibit B

- Legend**
- Proposed SOI Special Study Areas
 - Proposed City of Biggs SOI
 - WWTP Enhancement Project Area
 - City of Biggs
- Biggs General Plan Land Use**
- A - Agriculture
 - AC - Ag Commercial
 - AI - Ag Industrial
 - LI - Light Industrial
 - HI - Heavy Industrial
 - MU - Mixed Use
 - C - Commercial
 - HDR - High Density Residential
 - MDR - Medium Density Residential
 - LDR - Low Density Residential
 - P - Public
- City Sphere of Influences**
- Biggs
 - Gridley





-CITY OF BIGGS -
PLANNING DEPARTMENT ACTIVITY REPORT
CODE ENFORCEMENT

October/November

465 C Street
P.O. Box 307
Biggs, CA 95917

PHONE: (530) 868-5447
FAX: (530) 868-5239

DATE: November 5, 2015
TO: Honorable Mayor and Members of the City Council
FROM: Nicole Fillmore-Deniz - Code Enforcement Officer
SUBJECT: Planning Department Monthly Activity Report –October 2015

DEPARTMENT ACTIVITY SUMMARY

Contract Staff Days/ Code Enforcement Activity:

- Weekly Code Enforcement Coordination Meetings – Tuesday mornings & as-necessary

Department Activity Summary:

Utility Shut-off Activity: For the month of October, there were 12 shut-offs. Within 24 hours, payments had been made and power was restored at all properties.

Downtown Code Enforcement / Hazardous Building Abatement:

With one exception, no substantive changes or activities have occurred on any of the structures in the Downtown area since the issuance of the formal “red-tag” notices and Notices of Violation. The one exception would be the removal of the front metal awning from the Pharmacy Building (Fiedler) and the initiation of activity to remove the wooden addition on the back of the same building. Mr. Fiedler’s efforts are appreciated and upon completion will leave only one remaining issue to be addressed at the site (failing roof).

Staff continues to have a dialogue with those owners willing to talk and has had conversations with Mr. Pete Montez and various potential buyers of the Colonia Hotel. Additionally, Mr. Mathauser has been in contact with City staff about concerns about the removal of his building west of the Pheasant Club (e.g. building with no roof). Staff is working with the County Building Department to address the concerns of Mr. Mathauser in this regard but does not yet have a response to his issue.

A prospective buyer of the Colonia Hotel Building has been in contact with staff on numerous occasions over the past few weeks and has put forth a concept plan for staff’s review involving the construction of townhome and rental unit spaces inside of the building. Staff will forward information to the Council on this development when and if a formal submittal is made to the City.

Final notice letters (Declaration of Nuisance) have been prepared and are awaiting mailing for all of the properties originally receiving violation letters. At this time, staff is holding-off on the mailing on these letters until such time as a meeting with County Building staff has occurred to address a number of property owner questions. Staff

anticipates that this meeting will have occurred prior to the Council meeting and we will update the Council as to the results of that meeting on the 10th.

At this time, staff has granted compliance time extensions to Mr. Fiedler, Mr. Montez, and Mr. and Mrs. Ambagis for compliance as a result of action agreements have been made. Additionally, staff is actively working with Mr. Mathauser on issues associated with his structure and will not be sending Second Notices of Violation for these properties for the foreseeable future to allow time for the completion of compliance activities.

AVA reports were submitted to the County on October 31, 2105.

Throughout the month of October, letters were sent out accordingly to the following violations.

Trash	6
Landscape/Vegetation	1
Furniture/Appliances	1
Vehicles	2
Buildings and Structures	6
Utilities (Utilities were restored within 24 hours)	0
Misc. (Pools, Parking Limitations)	2



Permits Issued - Summary by Type

Butte County

Date Range Between 10/1/2015 and 10/31/2015

PERMIT TYPE	NUMBER OF PERMITS ISSUED	VALUATION	FEEES CHARGED
ETRAKIT	1	\$3,300.00	\$255.00
WOOD/PELLET STV RES	1	\$3,300.00	\$255.00
MISCELLANEOUS	4	\$80,236.00	\$1,420.50
RE-ROOF RESIDENTIAL	2	\$9,260.00	\$256.00
SOLAR ROOF-COM	1	\$68,976.00	\$782.50
WINDOW/GLASS DOOR	1	\$2,000.00	\$382.00
Totals:	5	\$83,536.00	\$1,675.50



Permits Applied - Summary by Type

Butte County

Date Range Between 10/1/2015 and 10/31/2015

PERMIT TYPE	NUMBER OF PERMITS ISSUED	VALUATION	FEES CHARGED
ETRAKIT	1	\$3,300.00	\$255.00
WOOD/PELLET STV RES	1	\$3,300.00	\$255.00
MISCELLANEOUS	3	\$11,260.00	\$638.00
RE-ROOF RESIDENTIAL	2	\$9,260.00	\$256.00
WINDOW/GLASS DOOR	1	\$2,000.00	\$382.00
Totals:	4	\$14,560.00	\$893.00