

BUTTE COUNTY
Department of Development Services



**ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT
FOR GENERAL PLAN 2040
(SCH No. 2022100151)**

**Magalia Center and Old Magalia
General Plan Amendment and Rezone
(GPA23-0002 / REZ23-0002)**

BUTTE COUNTY
Department of Development Services
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1.0 INTRODUCTION

This addendum assesses the environmental impact(s) of a proposed County-initiated General Plan Amendment (GPA23-0002) and Rezone (REZ23-0002) for multiple parcels in Magalia, in the Lakeridge Circle (Magalia Center) and Old Magalia neighborhoods. The General Plan Amendment changes the land use designation of three parcels off Lakeridge Circle: two parcels totaling 4.39 acres will change from Retail-Office (RTL) to Mixed Use (MU), and one parcel totaling 1.26 acres will change from Mixed Use (MU) to Public (P). The Rezone amends the Magalia Center zoning map for fifteen parcels totaling 35.07 acres, changing the zoning from GC (General Commercial) to MU-2 (Mixed Use-2) and one 1.26-acre parcel from GC to P (Public). Additionally, the Rezone amends the Old Magalia zoning map for 14 parcels totaling 9.74 acres, changing the zoning from GC to MU-2.

The request for a General Plan Amendment (GPA23-0002) changes the land use designation of two parcels located off Lakeridge Circle, totaling 4.39 acres that were inadvertently omitted from redesignation during the 2040 General Plan update and adoption of the Upper Ridge Community Plan. The proposed land use designation for the two parcels changing from Retail-Office (RTL) to Mixed Use (MU), reflects the current designation of parcels situated on the east side of Lakeridge Circle that had been amended during the 2040 General Plan update. The two parcels encompassing 4.39 acres are currently approved for development under a Conditional Use Permit (UP22-0003) for the Community Housing Improvement Program (CHIP) Multi-family Housing Project.

The County, as the lead agency under CEQA, will consider the potential environmental impacts of the project when it considers whether or not to approve these changes as part of the original project. This Addendum is an information document intended to be used in the planning and decision-making process as provided for under Section 15164 of the CEQA Guidelines. This Addendum neither recommends approval or denial of the proposed revisions to the project nor will it be the sole basis for the County's action on the revised Project.

The fundamental conclusion of this addendum is that the proposed project will not result in new significant impacts nor substantially increase the severity of previously disclosed impacts beyond those already identified in the certified Environmental Impact Report (EIR) prepared for General Plan 2040 and the Upper Ridge Community Plan (SCH No. 2022100151). Thus, a subsequent or supplemental Negative Declaration or EIR need not be prepared.

Additional information and technical analyses regarding the proposed Addendum and the certified EIR, are available for review at:

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1.1 Purpose of Addendum to the IS/MND

In determining whether an Addendum is the appropriate document to analyze the modifications to

the project and its approval, CEQA Guidelines Section 15164 (Addendum to an EIR or Negative Declaration) states:

- (a) The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*
- (b) An addendum to an adopted negative declaration or EIR may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- (c) An addendum need not be circulated for public review but can be included in or attached to the Final EIR or adopted negative declaration.*
- (d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.*
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

1.2 Basis for Decision to Prepare Addendum

When an environmental impact report or negative declaration has been adopted for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. Under these Guidelines, a subsequent EIR or negative declaration shall be prepared if any of the following criteria are met:

- (a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
 - (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
 - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would, in fact, be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration and addendum or no further documentation.

As demonstrated in the environmental analysis provided in Section 3.0 (Environmental Analysis), the proposed project does not meet the criteria for preparing a subsequent EIR or negative declaration. An addendum is appropriate here because, as explained in Section 3.0, none of the conditions calling for the preparation of a subsequent EIR or negative declaration have occurred.

2.0 PROJECT DESCRIPTION

This section provides a detailed description of the proposed project. The reader is referred to Section 3.0 (Environmental Analysis) for the analysis of this project's environmental effects in relation to the analysis provided in the previously adopted environmental document for the General Plan 2040 update.

2.1 Project Location

The project site is segregated into two areas: Magalia Center and Old Magalia. The Magalia Center includes a group of commercial and public uses located along Lakeridge Circle on the east side of Skyway and is situated in the Central Skyway Neighborhood within the Community of Magalia. Old Magalia is the southernmost neighborhood within the Magalia community. The area is situated along Skyway, starting at the intersection of Skyway and Pentz Road, west of New Skyway, and south of Magalia Reservoir.

The specific project parcels include the following Assessor's Parcel Number:

Lakeridge Circle (Magalia Center)				Old Magalia	
General Plan Amendment		Zone Map Amendment		Zone Map Amendment	
APN	Size	APN	Size	APN	Size
066-310-013	0.45	066-310-013	0.45	066-400-017	0.4
066-320-001	3.94	066-320-001	3.94	066-400-019	0.25
066-340-005	1.26	066-320-002	5.15	066-400-030	0.13
		066-320-003	2.51	066-410-015	0.8
		066-320-004	1.4	066-410-040	0.7
		066-320-005	1.51	066-410-041	0.97
		066-340-001	1.31	066-410-042	0.64
		066-340-002	1.22	066-410-043	0.35
		066-340-003	1.28	066-450-001	2.04
		066-340-005	1.26	066-450-002	0.68
		066-340-006	1.61	066-450-003	0.85
		066-340-007	1.41	066-450-004	0.88
		066-350-002	1.94	066-450-005	0.56
		066-350-003	2.99	066-450-006	0.49
		066-350-004	3.5		
		066-350-006	4.85		
Total	5.65		36.33		9.74

(Table 1 – Assessor Parcel Numbers and Project Size of Affected Parcels.)



(Figure A – Location Map.)

2.2 Project modifications since EIR Certification

The EIR for the original project was prepared to analyze the potential environmental impacts associated with implementing General Plan 2040 and the Upper Ridge Community Plan. The EIR specifically examined the potential impacts of redesignating the land use of 28 parcels in the Magalia Center along Lakeridge Circle and the Old Magalia neighborhood, from Retail and Office (RTL) to Mixed Use (MU).

The Retail and Office (RTL) designation allows structures and activities that provide a full range of merchandise and services to the general public, as well as professional/office uses. Residential uses are allowed when it can be shown that such uses will be operated in conjunction with commercial uses. This designation allows for a maximum Floor Area Ratio (FAR) of 0.4.

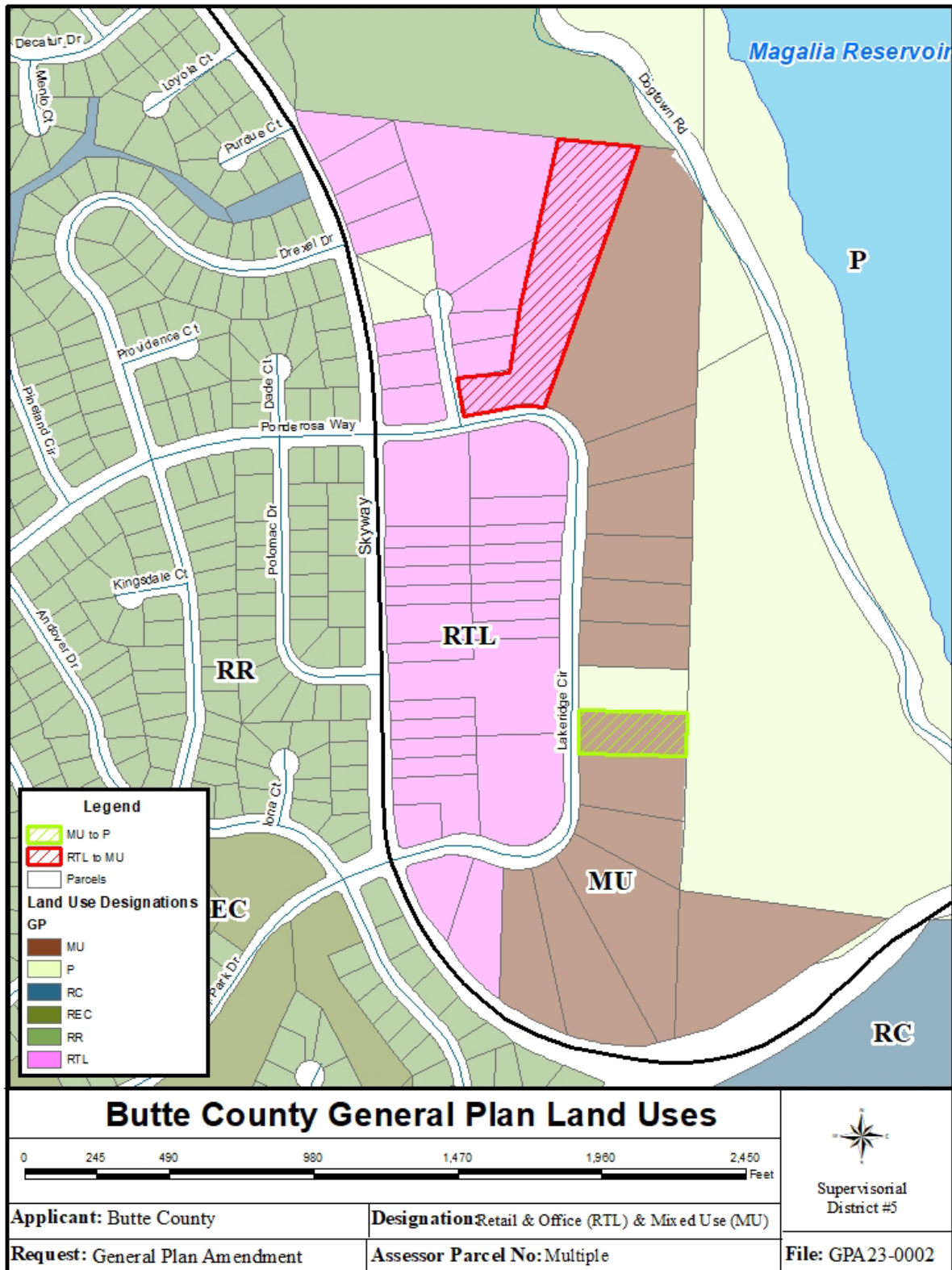
The Mixed Use (MU) designation allows mixed but compatible uses in close proximity to each other, including residential, retail, service, lodging, and office uses. Townhomes, garden apartments, apartments, live/work units, and condominiums are the types of residences that would typically be found in this designation. Mixed-use buildings with two or more uses in the same structure are encouraged in this designation, but single-use residential, retail, or office buildings are also allowed. Since this designation allows for both residential and commercial uses, it allows a wider residential density range and a higher FAR than other designations and is applied to areas along major roads with adequate infrastructure and amenities to support higher densities. This designation allows 4 to 20 dwelling units per acre and a maximum FAR of 0.5.

The Public (P) designation allows large facilities owned and operated by government agencies, including schools, colleges, airports, dams and reservoirs, disposal sites, recreation facilities, conservation areas, fire stations, and other government buildings and property. Alternative energy facilities are allowed in the Public designation, subject to permit requirements. This designation also allows quasi-public uses such as churches, hospitals, museums, private schools, daycares, cemeteries, and institutional uses.

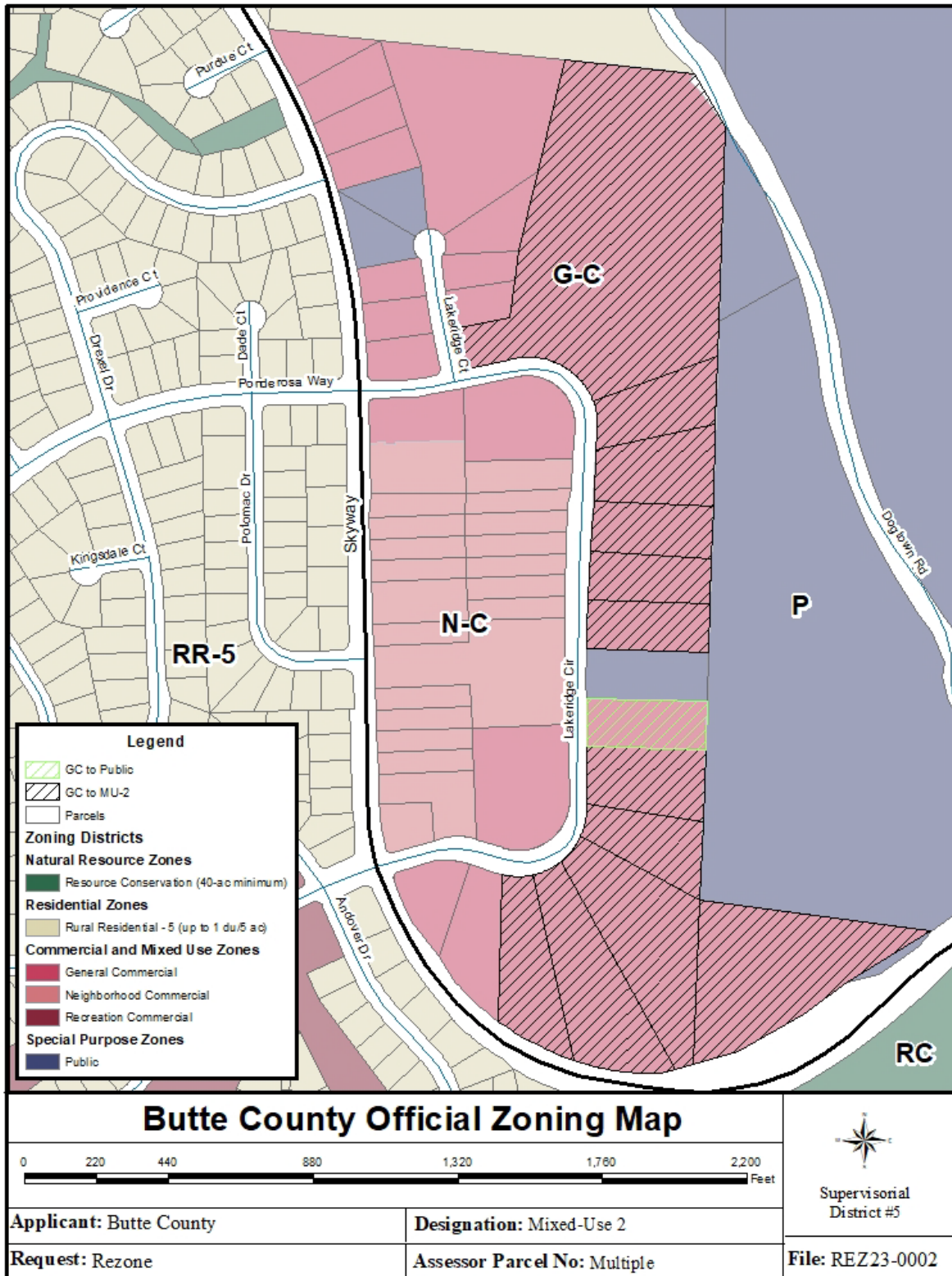
General Plan Amendment (GPA23-0002) and Rezone (REZ23-0002)

The proposed project involves redesignating the land use of two parcels totaling 4.39 acres from Retail and Office (RTL) to Mixed Use (MU) and a single parcel of 1.26 acres from MU to Public (P). The zone change subsequently amends the County's official zoning map of 29 parcels from General Commercial (GC) to Mixed Use 2 (MU-2) and the one 1.26 acre parcel from GC to P. The rezone ensures the zoning reflects the underlying land use designation. The proposed zone change to MU-2, instead of the MU-3 zone—which represents the full build-out of the Mixed Use land use designation analyzed in the EIR and this addendum—reduces the overall housing density and development potential of the site examined in the General Plan 2040 EIR and this Addendum.

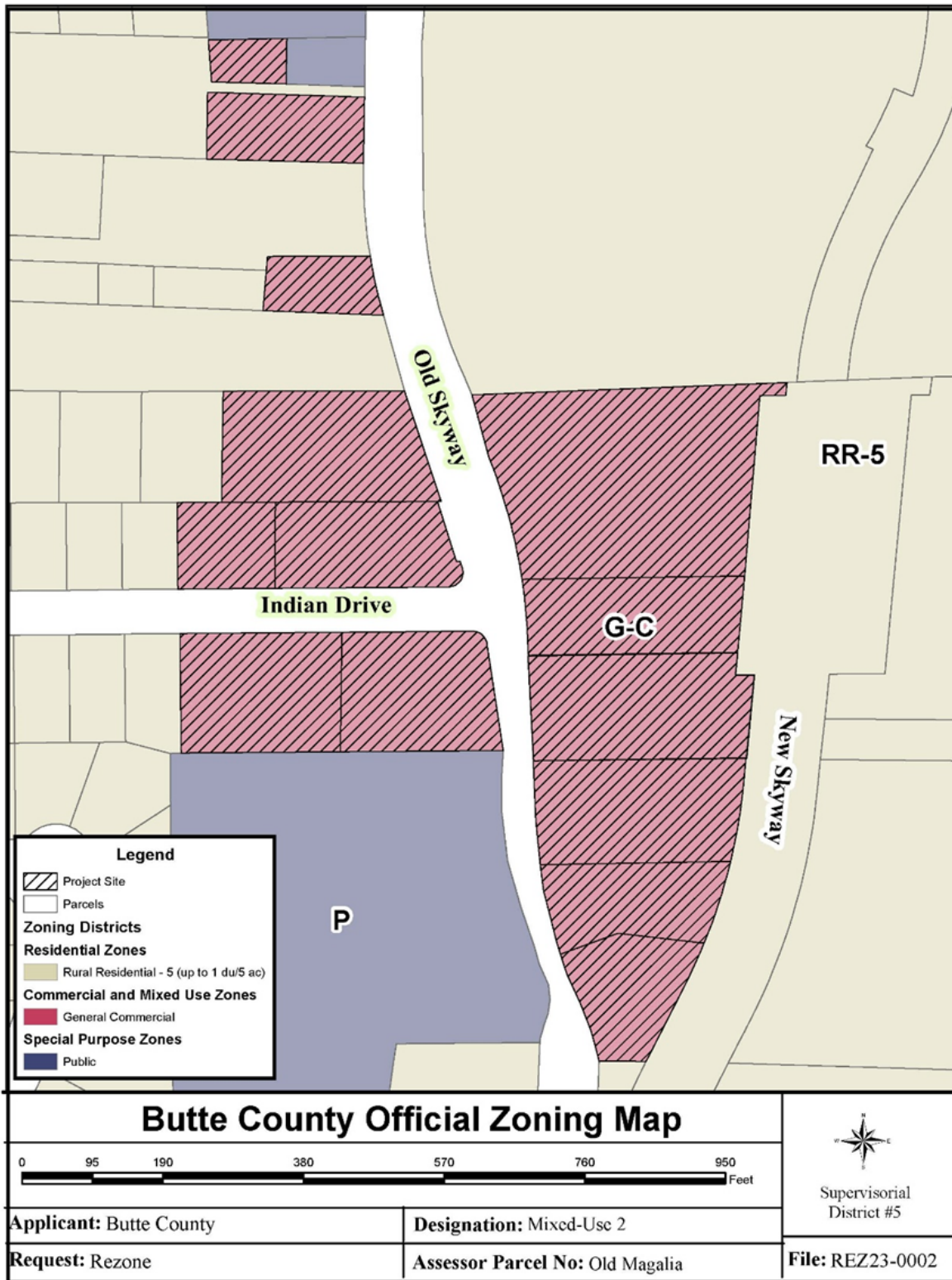
The total acreage being redesignated to the MU land use designation is 3.13, which could result in an increase of 62 additional residential units and/or 68,171 square feet of commercial development if the parcels were zoned MU-3 and developed to their full potential. The potential addition of 62 residential units under the proposal would help replace the shortfall of housing in the community that had occurred because of the Camp Fire. Moreover, permitted development under the MU designation is compatible with the existing RTL and MU designations found in the surrounding area.



(Figure B – Proposed General Plan Amendment in the Magalia Center.)



(Figure C – Proposed Zone Change in the Magalia Center.)



(Figure D – Proposed Zone Change in Old Magalia.)

3.0 ENVIRONMENTAL ANALYSIS

As explained in Section 1.0, this comparative analysis has been undertaken pursuant to the provisions of CEQA Sections 15162 and 15164 to provide the County with the factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the EIR was certified require additional environmental review or preparation of a Subsequent MND or EIR to the EIR previously prepared.

As described in Section 2.0, Project Description, amendments to the land use designation under General Plan 2040 are proposed. Therefore, a new impact analysis within the project area is included in this Addendum. The environmental analysis provided in the EIR remains current and applicable to the proposed project in areas unaffected by the suggested revisions regarding the environmental topics. As listed below:

- **Aesthetics:** The General Plan Update includes goals, policies, and actions in the Conservation and Open Space Element and Land Use Element to protect scenic resources. Specifically, Policy COS-P18.1 mandates that views of Butte County’s scenic resources, including water features, unique geological formations, and wildlife habitat areas, be preserved. Additionally, Policy LU-P14.2 stipulates that new urban development should primarily be located in or adjacent to already urbanized areas.

The Project is situated in the urban area of Magalia along Lakeridge Circle, which has existing commercial and public uses and access to the county-maintained roadways. Its location in an urbanized setting aligns with General Plan Policy LU-P14.2. Future discretionary developments will be assessed under CEQA to ensure compliance with the General Plan’s goals and policies, thereby helping to minimize potential scenic vista impacts from the proposed project to a less-than-significant level.

- **Agriculture and Forestry:** The project site is currently designated Retail Office and Mixed Use and would not result in the redesignation or loss of agricultural or forestry lands.
- **Air Quality:** Implementing the URCP would lead to population growth that exceeds the Butte County population growth forecast in the 2021 Triennial Air Quality Attainment Plan (AQAP). Consequently, the proposed project’s population increase would also cause significant and unavoidable air quality impacts. While implementing Mitigation Measures AQ-1 and AQ-2 would help reduce criteria air pollutant emissions to the extent possible, the population projections in the AQAP will continue to be exceeded until the AQAP is revised to reflect the additional population growth linked to the URCP.
- **Biological Resources:** Biological community types in the project areas are classified as Urban and are relatively limited in supporting native species. Additionally, the project areas are located several hundred feet from any significant water resources. Future development in the project areas would be subject to Conservation Element Policies of the General Plan, which are aimed at reducing impacts on biological resources. Implementing General Plan policies along with applicable State and local regulations would help minimize potential impacts on biological resources to a less than significant level.
- **Cultural Resources:** The proposed project has the potential to uncover archaeological resources and

human remains during the future development of the site. However, the goals, policies, and actions included in the General Plan would continue to protect undiscovered archaeological resources for the project site as they would for all other areas of the county. Therefore, potential impacts are less than significant.

- **Energy:** Potential future developments associated with the proposed project are subject to the current and future editions of the Building Energy Efficiency Standards, CALGreen, and the policies and actions identified in General Plan 2040 and the URCP. Implementation of these policies and regulations would lead to greater energy efficiency and a reduction in energy demand, ensuring that long and short-term projects are not inefficient, wasteful, or unnecessary.
- **Geology and Soils:** Future development associated with the project would be less than significant with the implementation of the general plan, URCP policies, and Mitigation Measures GEO-1 through GEO-3.
- **Greenhouse Gas Emissions:** It is expected that the Project will meet the 2030 target through the implementation of both the 2021 CAP and BCE. However, even with the 2021 CAP, implementation will not fulfill compliance with the long-term (2045) GHG reduction goal under AB 1279. Reduction strategies required to meet the AB 1279 long-term 2045 GHG reduction goal will be incorporated in future updates to the Butte County CAP. Additionally, further state strategies may be necessary to achieve the 2045 GHG reduction goal. Therefore, until that time, the implementation of the General Plan Update, even with the implementation of the 2021 CAP, results in significant and unavoidable impacts.
- **Hazards and Hazardous Materials:** The proposed project may involve the routine use, transportation, and disposal of hazardous materials and waste. General Plan 2040 includes policies that apply to future development on the project site, addressing the routine use, transportation, and disposal of hazardous materials to reduce the impact to a less than significant level.
- **Hydrology and Water Quality:** The proposed project increases the area's population; however, the implementation of general plan policies, mitigation measures, and adherence to other state and federal regulations regarding the protection of the county's water resources reduce potential impacts to a less-than-significant level.
- **Land Use and Planning:** The proposed project will not divide an established community because the changes in land use designations and corresponding zoning encompass both residential, commercial, and Public uses that are compatible with the surrounding RTL, MU, and P land use designations of the Magalia Center. Additionally, the project aligns with the strategies adopted in the Upper Ridge Community Plan (Strategies LU-2.5 and LU-2.6).
- **Mineral Resources:** The proposed project would not result in the loss of availability of known mineral resources. The two sites designated MRZ-2 in the county are not within the Upper Ridge community. Therefore, no impacts would occur.
- **Noise:** Development under the Upper Ridge Community Plan would lead to an increase in construction noise, which would temporarily elevate the ambient noise levels around each project,

possibly impacting both existing and future sensitive uses in the area. The General Plan 2040 EIR identified that construction activities linked to any individual development might occur close to noise-sensitive receptors, making them potentially significant. Butte County acknowledged that these impacts are unavoidable; however, they believe that the planned housing and employment growth will mitigate some of the effects and that project-specific impacts will be assessed through their own environmental reviews.

- **Population and Housing:** The EIR anticipated the addition of 851 new units in Magalia under URCP policies. The proposed project would potentially increase the number of new units by 62 if the 3.13 acres were fully built out to their full potential. The increase in units would help accommodate the current housing shortfall caused by the loss of 5,500 units in the Camp Fire. The project would not induce substantial unplanned growth in the area. Therefore, impacts are less than significant.
- **Public Services:** The project is anticipated to generate a slight population increase beyond what was evaluated in the General Plan 2040 EIR. The EIR notes that as future development and the corresponding population increase occur, county policies and programs will require the construction and operation of new facilities, including schools, fire stations, police stations, and parks, to accommodate population growth. Therefore, the impacts are less than significant.
- **Transportation/Traffic:** The change in land use designation to Mixed Use and Public offers residential development and park opportunities instead of commercial development, or alongside it, leading to a reduction in Vehicle Miles Traveled (VMT) in the project area. Furthermore, projects within the Magalia Center concept have planned pedestrian connectivity and bicycle access, which would further decrease VMT. Impacts are less than significant.
- **Utilities and Service Systems:** Domestic water services are provided by Del Oro Water. Water supplies and pressure in the project area are ample, and no issues with water delivery are expected. Wastewater disposal in the project area is currently handled by individual on-site septic systems. Future development will need to determine whether sufficient wastewater disposal and treatment capacity exists, in compliance with state and local regulations, to serve the development. Therefore, impacts will be less than significant.
- **Wildfire:** Potential future development under the Project would take place in the Magalia Center. Any potential future development must comply with State and County regulations and requirements aimed at minimizing the ignition and spread of wildfires from new development. Furthermore, new development on the Upper Ridge must adhere to Policies HS-P12.5, HS-P12.2, and HS-P14.5, which mandate compliance with State regulations and the establishment of fuel breaks at the edges of developed areas. The implementation of these policies would mitigate potential wildfire impacts, although not to a less-than-significant level. Impacts remain significant and unavoidable.

3.1 Conclusions

Based on the evidence in the Addendum, the analysis and conclusions in the General Plan 2040 and URCP Environmental Impact Report remain current and valid. The proposed project would not result in any new significant effects not identified in the EIR, nor would they increase the level of environmental effects to substantial or significant. Thus, no new mitigation measures would be necessary to reduce

these significant effects. No further environmental review is required beyond this Addendum.