



# TOWN OF PARADISE

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**Planning Commission Staff:**

Susan Hartman, Community Development Director

**Planning Commission Members:**

Kim Morris, Chair  
Lynn Costa, Vice Chair  
Carissa Garrard, Commissioner  
Ron Lassonde, Commissioner  
Zeb Reynolds, Commissioner

## **PLANNING COMMISSION AGENDA**

### **6:00 PM – August 17, 2021**

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Hartman, at 872-6291 ext. 417 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

#### **ROLL CALL**

#### **1. APPROVAL OF MINUTES**

- 1a. Approve Regular Meeting Minutes of July 20, 2021.

#### **2. APPOINTMENT OF PLANNING COMMISSION CHAIR AND VICE CHAIR FOR THE 2021/2022 FISCAL YEAR.**

- 2a. Appointment of Chair (Secretary presiding)
- 2b. Appointment of Vice Chair (Appointed Chair presiding)

**3. COMMUNICATION**

- 3a. Recent Council Actions
- 3b. Staff Comments

**4. PUBLIC COMMUNICATION**

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

**5. CONTINUED PUBLIC HEARING - None**

**6. PUBLIC HEARING - None**

**7. OTHER BUSINESS**

- 7a. Appointment of one Planning Commission Representative to serve upon the Town of Paradise Design Review Committee during the FY 2021-2022.
- 7b. Appointment of two (2) Planning Commission Representatives to serve upon the Town of Paradise Landscape Committee (appeals body) during the FY 2021-2022 (Requirement of PMC Chapter 15.36)
- 7c. The Planning Commission will be provided an overview of the General Plan Housing Element Update process by Urban Planning Partners, Inc. (No action requested - item for information and presentation only.)

**8. COMMITTEE ACTIVITIES**

**9. COMMISSION MEMBERS**

- 9a. Identification of future agenda items (All Commissioners/Staff)

**10. ADJOURNMENT**

STATE OF CALIFORNIA ) COUNTY OF BUTTE )	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:	
_____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



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## PLANNING COMMISSION MINUTES

**July 20, 2021  
6:00 PM**

**CALL TO ORDER** by Chair Morris at 6:00 p.m. who led the pledge of Allegiance to the Flag of the United States of America.

**PLANNING COMMISSIONERS PRESENT:** Lynn Costa, Carissa Garrard, Ron Lassonde, Kim Morris, Chair

**PLANNING COMMISSIONERS ABSENT:** Zeb Reynolds

### 1. APPROVAL OF MINUTES

- 1a. **MOTION by Costa, seconded by Lassonde**, approved Regular Meeting Minutes of March 16, 2021. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

### 2. COMMUNICATION

- 2a. Community Development Director Susan Hartman provided an update on Town Council actions which included the adoption of Ordinance No. 609, which allows for the short-term use of goats and sheep for weed abatement and defensible space; adopted the 2021/2022 Fiscal Year Budget and will be moving forward with a new Town Seal. Council asked staff to bring back two ordinances for consideration: 1. The RV Ordinance for interim housing; and 2. A hazard tree urgency ordinance to discuss options about the “back forty” trees.

### 3. PUBLIC COMMUNICATION -None

### 4. CONTINUED PUBLIC HEARING – None

### 5. PUBLIC HEARING

- 5a. Associate Planner, Chris Smith provided an overview of the Steineman Conditional Use Permit Application (PL21-00084) and requested the Commissioners approve the project based on staff’s recommendations.

Chair Morris opened the public hearing at 6:08 p.m.

1. Project applicant representative, Debbie Adams, a case manager for Samaritan’s House shared about the program, confirmed the applicate intends to landscape the front yard, and explained the circumstances regarding the house being placed on the property before the permits were applied for and issued.

Chair Morris closed the public hearing at 6:15 p.m.

**MOTION by Lassonde, seconded by Garrard**, adopted the required findings for approval as provided by staff, and approved the Steineman Conditional Use Permit Application (PL21-00084) and affirmed staff's recommendation to approve this project subject to the following conditions of approval below. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

Community Development Director Susan Hartman stated that there is a seven-day appeal period and that no permits could be issued until that appeal period had closed.

**GENERAL CONDITIONS OF CONDITIONAL USE PERMIT**

1. If any land use for which a conditional use permit has been granted and issued is not established within three years of the permit's effective date, the conditional use permit may become subject to revocation by the Town of Paradise.

**CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)**

**SITE DEVELOPMENT**

2. Submit construction documents and meet the requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code regulations including Wildfire Urban Interface construction requirements.

**OTHERS**

3. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.
4. In accordance with Paradise Municipal Code section 15.03.040, permit fees will be doubled as a result of building construction commencing without a permit.

**CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMITS(S)**

**SITE DEVELOPMENT**

5. Complete the project as per the requirements of the Town of Paradise approved plans and specifications.
6. Approved address shall be placed on the residence above the doorway, or in such a position as to be visible from the road accessing the property.

**UTILITIES**

7. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.
  8. Meet the requirements of all utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.
- 5b.** Community Development Director Susan Hartman provided an overview of State mandated requirements on municipalities concerning home day cares.

Chair Morris opened the public hearing at 6:21 p.m.

There were no public comments.

Chair Morris closed the public hearing at 6:21 p.m.

**MOTION by Lassonde, seconded by Costa**, adopted a resolution that would recommend Town Council adoption of proposed zoning regulations text amendments in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would: 1. alter and/or add the definitions of the terms “Day care home, small family”, “Day care home, large family”, and “Family day care home”; 2. Add site development regulations addressing family day care home(s) in all zones in order to comply with new state laws regarding home day cares; and, 3. Delete Chapter 17.43 - Large Family Day Care Homes from the PMC. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

**6. OTHER BUSINESS - None**

**7. COMMITTEE ACTIVITIES**

Community Development Director Susan Hartman shared that the Commission would elect a new Chair and Vice Chair at the next meeting, as well as appoint one committee member for the newly reinstated Design Review Committee.

**8. COMMISSION MEMBERS**

Community Development Director Susan Hartman provided an update on current projects and shared that the distillery is moving along and will be sent off to the State for environmental review; the brewery is still looking for a suitable location; Grocery Outlet has started construction; and Barney O’Rourke’s needs to resubmit their plans for further review.

**9. ADJOURNMENT**

Chair Morris adjourned the meeting at 6:31 p.m.

Date Approved:

Attest:

By: \_\_\_\_\_  
Kim Morris, Chair

\_\_\_\_\_  
Dina Volenski, CMC, Town Clerk

## M E M O R A N D U M

**TO:** Paradise Planning Commission

**FROM:** Susan Hartman, Community Development Director – Planning & Wastewater

**SUBJECT:** Town of Paradise Housing Element Update Process

**DATE:** August 6, 2021

This staff memo is an introduction to the upcoming 2022-2030 Housing Element Update for the Town of Paradise. The memo provides background information on state requirements as well our local process and timeline. Every eight years, every city, town, and county must update the Housing Element of their General Plan and have it certified by the California Department of Housing and Community Development (HCD).

### **BACKGROUND:**

The Housing Element is one of seven mandatory elements that comprise a local agency's General Plan according to Section 65302(c) of the California Government Code. The Housing Element is considered to be the primary policy document for a community to guide the development, rehabilitation and preservation of its housing for all economic segments of the local population.

The Town's Development Services Department issued a request for proposals (RFP) to solicit bids to assist the Town in the preparation of the Housing Element update and associated environmental document. In February 2021, Urban Planning Partners, Inc. (UPP) was selected as the Town's consultant. A representative from UPP will be attending virtually during the Planning Commission meeting to assist in presenting the process of updating the Housing Element.

The Housing Element update includes analysis of the Town's population, housing and employment characteristics, characteristics of the housing market and housing needs of special populations including seniors, the disabled (including those with developmental disabilities), large families, single female heads of households, farm workers and homeless persons. The document inventories available resources, including financial resources, the Town's available land inventory for residential development and programs available for housing assistance. Existing constraints to housing development and affordability, including governmental and non-governmental constraints are discussed.

State law does not require that jurisdictions *build* or *finance* new housing, but they must *plan* for it. It is in the community's Housing Element that local governments make decisions about where safe, accessible, and diverse housing could be developed to offer a mix of housing opportunities for a variety of household incomes. The Housing Element must identify how the town will meet its share of the region's housing need, called the Regional Housing Needs Allocation, or RHNA.

**Regional Housing Needs Assessment**

Housing element law requires every jurisdiction to quantify existing and projected housing needs and requires that jurisdictions provide their fair share of regional housing. This is accomplished, in part, through the Regional Housing Needs Assessment (RHNA) process. The RHNA defines each city and town's existing and future housing needs allocation in a regional context. A town's share of the RHNA, as determined by their Council of Governments or regional planning agency (which for Paradise is the Butte County Association of Governments, or BCAG), is the projected housing needs allocation that must be addressed in the Housing Element. Each town/city's RHNA is distributed among income categories to enable towns/cities to address the requirement to provide for the housing needs of all income levels.

The RHNA allocations for the Town of Paradise are as follows:

<b>2022-2030 RHNA Allocation</b>	
<b>Town of Paradise</b>	
<b>Income Level</b>	
VERY LOW INCOME (<50% of Area Median Income)	383
LOW INCOME (50-80% of Area Median Income)	374
MODERATE INCOME (80-120% of Area Median Income)	1,319
ABOVE MODERATE INCOME (>120% of Area Median Income)	5,103
<b>TOTAL ALLOCATION</b>	<b>7,179</b>

**Inventory of Sites**

State housing element law requires every town/city to provide a site inventory and analysis in its Housing Element. The purpose of this inventory is to identify specific sites suitable for residential development that will enable the Town to compare its RHNA new construction needs with its residential development capacity. The sites inventory and analysis helps determine if additional governmental actions are needed to provide enough sites with appropriate zoning and development standards to accommodate the amount of new construction identified in the RHNA. The RHNA assessment identified the need for 7,179 new dwelling units during the next planning period.

**Legal Requirements**

In order for a housing element to be found in compliance with state law it has to meet the detailed and increasingly specific mandates of state planning law and be consistent with the other elements of the General Plan. State law requires that every town/city have a legally compliant General Plan Housing Element. Jurisdictions face a number of consequences for not

having a certified Housing Element. Under legislation enacted in recent years, if a city does not comply with State housing law, it can be sued – by individuals, developers, third parties or the State. In addition to facing significant fines, a court may limit local land use decision-making authority until the jurisdiction brings its Housing Element into compliance. A legally compliant Housing Element makes cities eligible for numerous sources of funding, such as Local Housing Allocations, Affordable Housing and Sustainable Communities Grants, SB 1 Planning Grants, CalHOME Program Grants, Infill Infrastructure Grants, Pro-Housing Design funding, Local Housing Trust Funds, and Regional Transportation Funds.

### ***Public Participation***

As part of the work effort to update the Housing Element, planning staff and UPP will continue to engage in public outreach efforts to gather information regarding the challenges, opportunities and priorities associated with the provision of housing in Paradise. Public outreach efforts consist of multiple completed stakeholder interviews as well as a separate public workshop tentatively scheduled for September 21, 2021.

### ***Housing Element Contents***

The Housing Element typically includes:

- Introduction: Provides an overview of the contents and legal requirements of the Housing Element and describes the element's consistency with the General Plan.
- Housing Needs Assessment: The Housing Needs Assessment includes an analysis of population and employment trends, the Town's fair share of regional housing needs, household characteristics and the condition of the housing stock.
- Constraints: Reviews governmental constraints, including land use controls, fees, and processing requirements, as well as non-governmental constraints, such as construction costs, availability of land and financing, physical environmental conditions, and units at risk of conversion, that may impede the development, preservation, and maintenance of housing.
- Resources: Identifies resources available for the production and maintenance of housing, including an inventory of land suitable for residential development and a discussion of federal, state, and local financial resources and programs available to address the Town's housing goals.
- Effectiveness of the Previous Housing Element: Evaluates implementation of the 2014-2022 Housing Element in order to determine the effectiveness of the previous Housing Element, the Town's progress in implementing the previous Housing Element, and the appropriateness of the housing goals, objectives and policies.
- Housing Goals, Policies and Programs: Identifies the Town's housing goals and provides policies and programs to address the Town's housing needs.

- **Community Participation:** Describes how the Town engaged the public, including Town residents, business people, and interested parties, including housing and special needs advocates.

### ***New Requirements for this Housing Element Update***

Recent legislation resulted in the following key changes for this 6<sup>th</sup> cycle of RHNA and Housing Element updates:

- **Higher allocations** - There is a higher total regional housing need. HCD's identification of the region's total housing needs has changed to account for unmet existing need, rather than only projected housing need. HCD now must consider overcrowded households, cost burdened households (those paying more than 30% of their income for housing), and a target vacancy rate for a healthy housing market (with a minimum of 5%).
- **Affirmatively Furthering Fair Housing (AFFH)** - Local Housing Elements must affirmatively further fair housing. According to HCD, achieving this objective includes preventing segregation and poverty concentration as well as increasing access to areas of opportunity. HCD has mapped Opportunity Areas and has developed guidance for jurisdictions about how to address affirmatively furthering fair housing in Housing Elements.
- **Limits on Sites** - Identifying Housing Element sites for affordable units will be more challenging. There are new limits on the extent to which jurisdictions can reuse sites included in previous Housing Elements and increased scrutiny of small, large, and non-vacant sites when these sites are proposed to accommodate units for very low- and low-income households.
- **Safety Element** - State law requires that the Safety Element of the General Plan be updated concurrently with the Housing Element. The Safety Element must address new wildfire, evacuation routes, and climate adaptation and resilience requirements in an integrated manner. (UPP is also concurrently working on the updated Safety Element)

### **DRAFT HOUSING ELEMENT TIMELINE:**

State law requires certification of the Town's Housing Element by June 15, 2022. The Town is currently on track to submit the Housing Element for initial HCD review on January 18, 2022, receive HCD comments, and adopt the Final Housing Element for submittal to HCD for certification by the June deadline.

### **NEXT STEPS:**

Following Planning Commission overview of the Housing Element Update process, UPP will continue to work with staff regarding upcoming public engagement opportunities at community events. Town staff and UPP will also begin working towards developing new goals, policies, and programs for the new planning period. Ultimately this will culminate into a draft Housing Element that will be available for the public to review before eventually being brought forward to the Planning Commission for review by end of December 2021.