



# Town of Paradise

## Town Council Meeting Agenda

### 6:00 PM – June 14, 2022

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**Town of Paradise Council Chamber – 5555 Skyway, Paradise, CA**

Mayor, Steve Crowder  
Vice Mayor, Greg Bolin  
Council Member, Steve “Woody” Culleton  
Council Member, Jody Jones  
Council Member, Rose Tryon

Town Manager, Kevin Phillips  
Town Attorney, Scott E. Huber  
Town Clerk, Dina Volenski  
CDD, Planning & Onsite, Susan Hartman  
CDD, Building & Code Enforcement, Tony Lindsey  
Finance Director/Town Treasurer – Ross Gilb  
Public Works Director/Town Engineer, Marc Mattox  
Division Chief, CAL FIRE/Paradise Fire, Garrett Sjolund  
Chief of Police, Eric Reinbold  
Recovery & Economic Development Director, Colette Curtis  
Human Resources & Risk Management Director, Crystal Peters  
Information Systems Director, Luis Marquez

### Meeting Procedures

- I. The Mayor is the Presiding Chair and is responsible for maintaining an orderly meeting. The Mayor calls the meeting to order and introduces each item on the agenda.
- II. The Town staff then provides a report to Council and answers questions from the Council.
- III. Citizens are encouraged to participate in the meeting process and are provided several opportunities to address Council. Any speaker addressing the Council is limited to three minutes per speaker - fifteen minutes per agenda item
  - A. If you wish to address the Council regarding a specific agenda item, please complete a “Request to Address Council” card and give it to the Town Clerk prior to the beginning of the meeting. This process is voluntary and allows for citizens to be called to the speaker podium in alphabetical order. Comments and questions from the public must be directed to the Presiding Chair and Town Council Members (please do not address staff.) Town staff is available to address citizen concerns Monday through Thursday at Town Hall between the hours of 8am and 5pm.
  - B. If you wish to address Council regarding an item not on the agenda, you may do so under Item 4, “Public Communication.” Again, please fill out a card and give it to the Town Clerk before the meeting. State Law prohibits Council action on items not listed on a public agenda.

In compliance with the Americans with Disabilities Act (ADA) Compliance, persons who need special accommodations to participate in the Town Council meeting may contact the Town Clerk at least three business days prior to the date of the meeting to provide time for any such accommodation.

## 1. OPENING

- 1a. Call to Order
- 1b. Pledge of Allegiance to the Flag of the United States of America
- 1c. Invocation
- 1d. Roll Call
- 1e. Presentation by CalFire/Paradise Fire Chief - Patrick Purvis
- 1f. Camp Fire recovery updates - Written reports are included in the agenda packet:
  - P5 Colette Curtis, Recovery and Economic Development Director - Recovery projects, Advocacy, Economic Recovery and Development, Communications and Emergency Operations.
  - P8 Marc Mattox, Public Works Director/Town Engineer - Infrastructure and Sewer Update
  - p10Tony Lindsey, CDD-Building and Code Enforcement - Code Enforcement Update

## 2. CONSENT CALENDAR

One roll call vote is taken for all items. Consent items are considered to be routine business that does not call for discussion.

- 2a. p14 Approve minutes from the May 10, 2022, Special and Regular meetings and the May 31, 2022 Special meeting.
- 2b. p25 Approve May 2022 Cash Disbursements in the amount of \$3,398,869.57.
- 2c. p33 1. Adopt Resolution No. 2022-\_\_\_\_, "A Resolution of Intention of the Town Council of the Town of Paradise to Set a Public Hearing to Consider Naming an Existing Private Access Easement off Pentz Road, Located in the Town of Paradise. Petitioner: Travis Thomsen, et al"; or, 2. Adopt a motion to continue the matter to a date certain and direct staff to provide any additional desired information pertaining to the requested road name; or, 3. Adopt a motion to deny adoption of Town Resolution No. 2022-\_\_\_\_.
- 2d. p37 Waive second reading of Town Ordinance No. 618 and approve reading by title only; and, Adopt Town Ordinance No. 618, "An Ordinance Amending Chapter 8.58.060 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management".
- 2e. Approve an amended and restated professional services agreement with Kevin Phillips for Town Manager services with an expiration date of June 30, 2025 and authorize the Mayor to execute the agreement.

## 3. ITEMS REMOVED FROM CONSENT CALENDAR

## 4. PUBLIC COMMUNICATION

For matters that are not on the Council business agenda, speakers are allowed three (3) minutes to address the Council. The Town Council is prohibited from taking action on matters that are not listed on the public agenda. The Council may briefly respond for clarification and may refer the matter to the Town staff.



## 5. PUBLIC HEARINGS

For items that require a published legal notice and/or a mailed notice.

### Public Hearing Procedure:

- A. Staff Report
- B. Mayor opens the hearing for public comment in the following order:
  - i. Project proponents (in favor of proposal)
  - ii. Project opponents (against proposal)
  - iii. Rebuttals – if requested
- C. Mayor closes the hearing
- D. Council discussion and vote

- 5a. p46 1. Conduct the duly noticed and scheduled public hearing and concur with the recommended actions adopted by the Planning Commission of May 24, 2022, and embodied within Planning Commission Resolution No. 2022-02; and, 2. Certify and adopt the proposed Initial Study and Negative Declaration document as it relates to the proposed 2022-2030 Town of Paradise Housing Element Update; and, 3. Adopt Town of Paradise Resolution No. 2022-\_\_\_\_\_, “A Resolution of the Town Council of the Town of Paradise Adopting an Amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan”; or, 4. Provide alternative direction to town staff. (ROLL CALL VOTE)

## 6. COUNCIL CONSIDERATION

Action items are presented by staff and the vote of each Council Member must be announced. A roll call vote is taken for each item on the action calendar. Citizens are allowed three (3) minutes to comment on agenda items.

- 6a. p. 424 After discussion consider waiving the first reading of Town Ordinance No. \_\_\_\_ and read by title only [roll call vote]; and, 1. Introduce Town Ordinance No. \_\_\_\_, “An Ordinance of the Town Council of the Town of Paradise Amending Text Regulations within Paradise Municipal Code Chapter 8.08 [Solid Waste] and Adding Article 1 Regarding Mandatory Municipal MSW, Recyclable Material, and Organic Waste Disposal Reduction Consistent with New State Law Requirements”; or 2. Provide alternative direction to town staff. (ROLL CALL VOTE)
- 6b. p474 Discuss and consider concurring with staff’s recommendation to select P31 Enterprises of Oroville, CA to perform arborist services for the Category 4 Tree Removal Program; and, approve the attached Professional Services Agreement with P31 Enterprises and authorize the Town Manager and Town Mayor to execute the agreement. (ROLL CALL VOTE)
- 6c. p491 Discuss and consider approving the Principals of Agreement between the Town of Paradise and City of Chico developed by the Sewer Regionalization Project Advisory Committee. The Inter-Municipal Agreement between the Town and City will utilize the approved Principals of Agreement. (ROLL CALL VOTE)
- 6d. p503 Consider approving the 2022 Storm Drain Master Plan (SDMP) prepared by Wood Rodgers, including deliverables of the Town-wide Master Drainage Study, field evaluation and monitoring of storm drain systems and drainageways, Flood Risk Modeling, field condition

assessment, data computation, project prioritization criteria, updating and expanding flood risk modeling for 10 and 100-year storm events (Special Permit Zones), the evaluation of drainage system condition and capacity deficiencies, and a prioritized project list and costs. (ROLL CALL VOTE) The Storm Drain Master Plan is too large to include in the agenda packet. Below is a link to review the document online. A public view copy is available at the Town Clerk's window at Town Hall, 5555 Skyway, Paradise, CA 95969, for review. Link to the SDMP: <https://bit.ly/3trfPEB>

6e. p509 Consider adopting the attached Resolution No. 2022- \_\_\_\_, “A Resolution of the Town Council of the Town of Paradise Declaring An Emergency And Authorizing Repair or Replacement of The Stearns Road 72” Culvert Without Observance Of Public Bidding Requirements”; and Authorize the Town Manager to execute agreements for a contractor and/or materials for the subject project. (ROLL CALL VOTE)

6f. p516 Consider adopting Resolution No. 2022- \_\_\_\_, “A resolution of the Town Council of the Town of Paradise Awarding Contract No. 7303.21.CON, On-System Roadway Rehabilitation –Skyway (Phase 1) to Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1; and, Authorize the Town Manager to execute an agreement with Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1 relating to Contract No. 7303.1.CON and to approve contingency expenditures not exceeding 10%. (ROLL CALL VOTE)

## 7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items
- 7a1. Discuss changing the Town of Paradise Ordinance No. 618 prohibiting the use of power tools, potentially defined as metal bladed power tools that could cause combustion during a red flag warning issued by the Weather Service. (CROWDER)
- 7b. Council reports on committee representation
- 7c. Future Agenda Items

## 8. STAFF COMMUNICATION

- 8a. Town Manager Report
- 8b. Community Development Director

## 9. CLOSED SESSION - None

## 10. ADJOURNMENT

|   |     |
|---|-----|
| STATE OF CALIFORNIA )<br>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:<br>_____ |     |
| TOWN/ASSISTANT TOWN CLERK SIGNATURE   |     |



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 1(f)**

**ORIGINATED BY:** Colette Curtis, Recovery and Economic Development Director

**REVIEWED BY:** Kevin Phillips, Town Manager

**SUBJECT:** Monthly Recovery Update

**LONG TERM RECOVERY PLAN:** Yes

**COUNCIL ACTION REQUESTED:**

1. None

**Background:**

This report continues the Monthly Updates provided to keep the Town Council apprised of important developments related to the recovery of the Town of Paradise from the Camp Fire. Included in this update are items related to recovery projects, advocacy economic recovery and development, communications and emergency operations.

**Analysis:**

**ECONOMIC DEVELOPMENT**

**Business Retention and Attraction**

- Big Lots is still moving forward in the old Rite Aid building. Permits have been issued and are ready to be picked up. We do not have an estimated opening date yet.
- A national clothing retailer is planning to occupy the other side of the old Kmart building, next to Tractor Supply. We expect to receive their permit applications in the next several weeks.
- The Town is working with the property owners and developers to continue filling available spaces.

**CDBG-DR Economic Development**

- Town staff is working with the County on potential projects for these funds when they become available. The Town and County will not be able to apply for the funding, as it is designated for workforce support agencies. Both the Town and County are actively meeting with those agencies to coordinate potential projects.

**RECOVERY**

**Abatement Update:**

- 11 property owners enrolled in the private program and have not removed their hazardous trees. (No change from May Council Report)
- 121 property owners who have not removed their hazardous trees. (-13 from May Council Report)
- There are currently 132 properties at risk for abatement. This is down from 1500 in July 2020 and 850 in January of 2021.
- We are beginning the abatement process for one property, approved at the May 2022 Council meeting.

#### Early Warning System

- The Early Warning System was fully approved in April 2022
- The complete construction RFP was posted on April 21, 2022.
- The RFP has closed and an evaluation team is reviewing the 5 submitted bids with the intent to have a contract presented at the June 28 Council Meeting.

#### Residential Ignition Resistant Retrofit Program

- Town required environmental process (CEQA) was completed in January 2022.
- Undergoing Federal Environmental Review. Sections 1-3 of the Environmental Report have been completed and a draft of sections 4-6 is nearing completion.
- Town staff have are working to clarify the eligible projects as the next steps.
- All other Town required action items are complete

#### Hazardous Fuels Reduction Program

- Town required environmental process (CEQA) was completed in January 2022.
- Undergoing Federal Environmental Review. Sections 1-3 of the Environmental Report have been completed and a draft of sections 4-6 is nearing completion.
- All other Town required action items are complete.

#### Category 4 Tree Removal Program

- Town required environmental process (CEQA) was completed in January 2022.
- Undergoing Federal Environmental Review. Sections 1-3 of the Environmental Report have been completed and a draft of sections 4-6 is nearing completion.
- An RFP for Arborist services was posted on April 22, 2022. The RFP Evaluation Committee has reviewed the 7 proposals and a contract is being presented later in this agenda.
- We are beginning to work on the assessment intake documentation and hope to have the program open to property owner signups this summer with tree assessments beginning shortly thereafter and complete by the fall. Tree cutting would commence after full phase 2 approval of submitted tree inventory.

#### Defensible Space Code Enforcement

- Town required environmental process was completed in December 2021.
- Undergoing Federal Environmental Review. Sections 1-3 of the Environmental Report have been completed and a draft of sections 4-6 is nearing completion.

- All other Town required action items are complete.

## COMMUNICATIONS

### Video Series

- The second in a series of three marketing videos was released on June 2<sup>nd</sup>. This video aims to showcase the thriving community and the amenities Paradise has to offer.
- The third video of the series is in production now, it will focus on economic development and business attraction.

### Chico State World Learning Panel

- The Town will participate in a panel for Chico State's World Learning forum on July 18<sup>th</sup>.

### Party in the Park

- The Town will have a booth again this year at Party in the Park.
- Animal Control, Community Development/Building, Public Works, Housing, and Recovery and Economic Development departments will staff the booth over the summer to provide information directly to our residents.

## EMERGENCY MANAGEMENT

- A full EOC exercise, with all staff and cooperators will be held on June 23<sup>rd</sup>.
- Emergency Operation Plan Update: Constant Associates is drafting the report. We expect to present a final report to Council later this summer.

### **Financial Impact:**

None.



**TOWN OF PARADISE**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda No. 1(f )**

**ORIGINATED BY:** Marc Mattox, Public Works Director / Town Engineer

**REVIEWED BY:** Kevin Phillips, Town Manager

**SUBJECT:** Camp Fire Recovery Updates - Infrastructure

**COUNCIL ACTION REQUESTED:**

1. None, written monthly update only.

**Background:**

This report continues the Monthly Disaster Recovery Updates provided to keep the Town Council apprised of important developments related to the recovery of the Town of Paradise from the Camp Fire.

**Analysis:**

**Road Rehabilitation**

As previously covered in related Agenda Summaries and Updates, the Town of Paradise has secured funding from both FEMA and Federal Highways Administration for the purposes of road rehabilitation associated with Camp Fire damages from the fire itself, debris removal and tree removal operations. These projects cover all Town of Paradise publicly owned and maintained roadways.

Public Works Engineering staff is recommended award of a contract on this agenda for the first road rehabilitation project along Skyway between Town Limits and Westchester Way (near Holiday Market)

A paving plan has been published here:

<https://www.google.com/maps/d/u/2/edit?mid=1tRv2WKM6-cppRfHKscuKGQguwgXiE7HJ&usp=sharing>

This paving plan informs residents of which roads are expected to be paved in which calendar year. The plan will be updated frequently as actual field conditions change.

**Paradise Sewer Project**

**Efforts for Past Month:**

- Previous Updates: *The Central Valley Regional Water Quality Control Board (Regional Board) hosts meetings of the Sewer Regionalization Project Advisory Committee (SRPAC). The SRPAC last met on March 21<sup>st</sup> at the City of Chico council chambers and finalized the first draft of the Principles of Agreement (POA). The POA will serve as a starting point for drafting an inter-municipal agreement between Paradise and Chico to address treatment of Paradise wastewater at the Chico Water Pollution Control Plant. Information about SRPAC meetings, including agendas and meeting minutes, are at [www.paradisesewer.com](http://www.paradisesewer.com).*



- On May 25<sup>th</sup>, the Town and City concluded a 30-day public comment period on the first draft of the POA. No comments were received from the public.
- On April 12<sup>th</sup>, the Paradise Town Council discussed the first draft of the POA at its regularly scheduled council meeting. On May 3<sup>rd</sup>, the Chico City Council also discussed the first draft of the POA. No additional comments were received at either council meeting.
- Because no POA comments were received from the public or either council, the SRPAC meeting scheduled for May 9<sup>th</sup> was canceled.
- Continued analysis and writing efforts for the Draft EIR.
- Continued to update the project's public website ([www.paradisesewer.com](http://www.paradisesewer.com)).
- Continued funding application efforts.

#### **Efforts for Next Month:**

- At the Chico City Council meeting on June 7<sup>th</sup>, staff will request that the Council authorize drafting of the inter-municipal agreement, based on the final POA. A similar request will be made to the Paradise Town Council at its meeting on June 14<sup>th</sup>. Assuming authorization is received, staff will begin drafting the agreement.
- Continue writing efforts on the Draft Environmental Impact Report (EIR).
- Continue funding application efforts.

#### **Requests/Interactions with County Agencies:**

- Town of Paradise staff is reviewing the April 12, 2022, draft of the "County of Butte Department of Public Works: Trench Cuts and Pavement Restoration Policy" as applicable to the Paradise Sewer Project, considering County paving projects at Skyway, Midway and Hegan Lane.
- Draft EIR will be issued in July and request County staff be available to provide input during the review period.



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14<sup>th</sup>, 2022**

**Agenda Item: 1(f)**

**ORIGINATED BY:** Tony Lindsey, Community Development  
Director, Building & Code Enforcement  
**REVIEWED BY:** Kevin Philips, Town Manager  
**SUBJECT:** Camp Fire Recovery Updates – Code Enforcement

**LONG TERM** No  
**RECOVERY PLAN:**

**COUNCIL ACTION REQUESTED:**

1. Code Enforcement Update

**Background:**

The mission of the Code Enforcement Division is to promote and maintain a safe and desirable living and working environment. We help maintain and improve the quality of our community by administering a fair and unbiased enforcement program to correct violations of municipal codes and land use requirements. We work with residents, neighborhood associations, public service agencies, and other Town departments to:

- Facilitate voluntary compliance with Town codes.
- Empower community self-help programs.
- Develop public outreach programs.
- Establish community priorities for enforcement programs.

**Analysis:**

Code Enforcement receives complaints of violations from staff and general community members. Each complaint is investigated and verified by our Officers.

Total Temporary Use Permits (TUPs) issued under Urgency Ordinance 612 were 628 (42 Storage/586 Occupied). As of 5/31/2022, only 280 are still active (Exhibit A) :

- Storage only – 33
- Occupied – 247 (77% are owner applied/occupied)

RV Code Enforcement activity for the reporting period (April 29th – May 2nd) (Exhibit B) :

- Occupied sites without TUPs – 68
- Occupied sites with TUP Violations – 4
- Compliance gained/RV cases closed – 18
  - 10 RVs removed
  - 8 Violations resolved (weed & debris removed, building permit issued)
- To date, Civil Abatement Cases forwarded to Town Attorney – 17. Town Attorney gained compliance on 7 cases, and 10 remain eligible for abatement.

The Community Enhancement Outreach Team, consisting of Fire Prevention, Police, Housing, Disaster Case Managers (DCMs), and Code Enforcement staff, visited 52 RV sites (6 with TUPs and 46 without a TUP issued). The team contacted 48 community members in May:

- 32 were tenants and did not own property
- 16 owner-occupied
- 2 purchased the property post-Camp Fire
- 21 supplied contact information to DCM staff

Other Code Enforcement Items:

- Abandoned Vehicle Authority abatements – 21
  - 17 voluntarily self abated
  - 4 vehicles towed
- Complaints regarding waste and refuse, zoning, franchise agreement violations, building without permits, grading, erosion control, fire hazards, livestock, substandard housing, etc.

Fire Prevention is built upon the philosophy of three main objectives: Education, Engineering, and Enforcement. Fire Prevention is a vital function in the community and our continued economic development. Our defensible space and hazardous fuel management ordinance require property owners to keep their parcels fire safe, whether they live in Town or not. The Fire Prevention staff is tasked with performing weed abatement inspections on 11,062 parcels within our community.

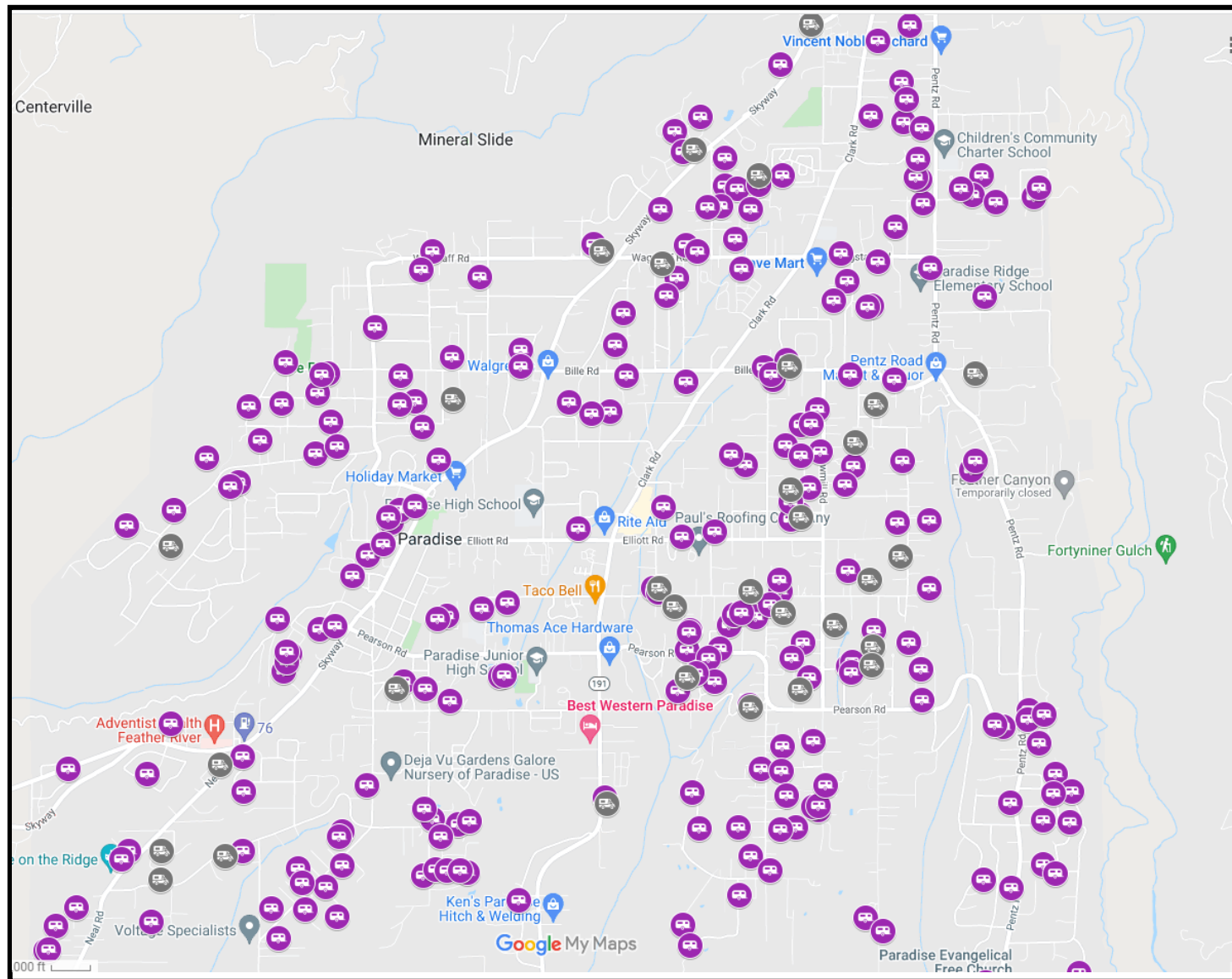
Beginning April 1<sup>st</sup>, 2022, the Town started requiring property title transfers to obtain a Certificate of Compliance with our Defensible Space regulations. During May:

- Clearance requests received – 109 (72 in April)
- First inspection compliance rate – 52% (40% in April)
- Certificates issued – 90 (48 in April)
- Land Surveyor's Certifications on file – 23 (11 in April)

The following is the number of town-wide Defensible Space Program inspections completed as of 6/2/2022:

- Compliant – 4,978 (compliance rate of 45% is a 2% increase from this time last year)
- Non-compliant – 5,645 notices sent
- Code Enforcement Referrals for citation – 457 Active Code Cases

## TUPs under ORD 612 5/31/22

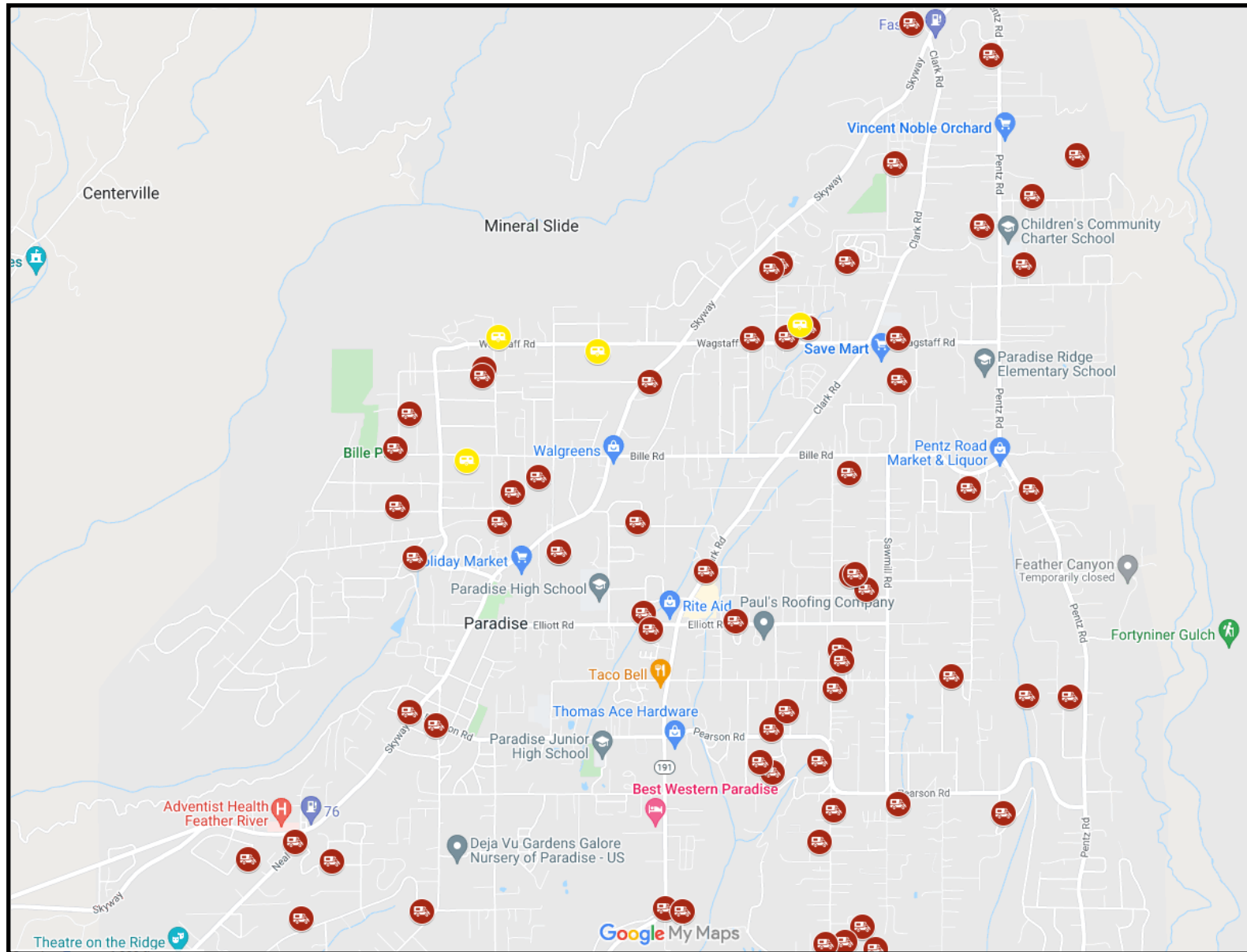


RV TUP STORAGE ONLY 33



RV TUP OCCUPIED 247

## TUP Violations 5/31/22



Violations w/ TUP



RV no TUP



**MINUTES  
PARADISE TOWN COUNCIL  
SPECIAL MEETING – 4:30 PM – May 10, 2022**

**1. OPENING**

The Special meeting of the Paradise Town Council was called to order by Mayor Crowder at 4:30 p.m. in the Council Chambers located at 5555 Skyway, Paradise, California.

**COUNCIL MEMBERS PRESENT:** Greg Bolin, Steve “Woody” Culleton, Jody Jones, Rose Tryon and Steve Crowder, Mayor.

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Kevin Phillips, Town Clerk Dina Volenski, Town Attorney Scott E. Huber, Information Systems Director Luis Marquez and Business and Housing Manager Kate Anderson.

**2. PUBLIC HEARING**

2a. Business and Housing Manager Kate Anderson provided an overview of the proposed Substantial Amendment to the 2021-22 Annual Plan. This is the first of two public hearings; no action is requested at this time. (710-10-097)

Mayor Crowder opened the public hearing at 4:34 p.m.

There were no public comments.

Mayor Crowder closed the public hearing at 4:35 p.m.

2b. Business and Housing Manager Kate Anderson provided an overview of the proposed changes to the Citizen Participation Plan. This is the first of two public hearings; no action is requested at this time. (710-10-093)

Mayor Crowder opened the public hearing at 4:36 p.m.

There were no public comments.

Mayor Crowder closed the public hearing at 4:36 p.m.

Mayor Crowder recessed the meeting into Closed Session at 4:36 p.m. to discuss the following:

**3. CLOSED SESSION**

3a. Pursuant to Government Code Section 54956.9(d)(4), the Town Council will meet with the Town Manager and Town Attorney to consider initiation of litigation – 1 potential case.



- 3b. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Town Manager Kevin Phillips, Finance Director Ross Gilb, Human Resources Director Crystal Peters and Town Attorney Scott E. Huber, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Police Officers Association, Confidential Mid-Management Association, General Employees Unit, Police Mid-Management Unit and the Management Group.

#### **4. ADJOURNMENT**

At 6:02 p.m. Mayor Crowder announced during the Regular Town Council Meeting, the following from the Special Town Council meeting:

3a. The Town Council unanimously adopted Resolution No. 2022-25, "A Resolution of the Town Council of the Town of Paradise Declaring an Emergency and Making Related Factual Findings Related to Nuisance Conditions and an Immediate Threat to Public Health and Safety Existing at 6681 Brook Way, APN 050-300-028 in Paradise, CA."

3b. Direction was given, no action was taken.

Date approved:

By:

Attest:

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Steve Crowder, Mayor

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Dina Volenski, CMC, Town Clerk



## TOWN COUNCIL Meeting Minutes

6:00 PM – May 10, 2022

### 1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Crowder at 6:00 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Vice Mayor Greg Bolin.

At 6:02 p.m. Mayor Crowder announced the following items from the Special Town Council meeting held at 4:30 p.m.:

3a. The Town Council unanimously adopted Resolution No. 2022-25, “A Resolution of the Town Council of the Town of Paradise Declaring an Emergency and Making Related Factual Findings Related to Nuisance Conditions and an Immediate Threat to Public Health and Safety Existing at 6681 Brook Way, APN 050-300-028 in Paradise, CA.”

3b. Direction was given, no action was taken.

**COUNCIL MEMBERS PRESENT:** Greg Bolin, Steve “Woody” Culleton, Jody Jones, Rose Tryon and Steve Crowder, Mayor.

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Kevin Phillips, Town Attorney Scott E. Huber, Town Clerk Dina Volenski, Finance Director/Town Treasurer Ross Gilb, Community Development Director Susan Hartman, Community Development Director Tony Lindsey (via Teams), Information Systems Director Luis Marquez, Business and Housing Manager Kate Anderson, Police Chief Eric Reinbold, Fire Chief Rick Manson, Project Manager Brian Solecki and Principal Engineer Ashely Stanley.

- 1e. Mayor Crowder presented Jim Riotto with a Proclamation recognizing 30 years assisting the Town of Paradise.
- 1f. Mayor Crowder read the proclamation for Kristi More for advocacy after the Camp Fire.
- 1g. Mayor Crowder presented Nathan Solecki with a proclamation for the Town of Paradise seal artwork. (180-40-027)
- 1h. Roy Wright from the Institute for Business and Home Safety (IBHS) provided the Town Council a presentation on wildfire preparedness home standards.
- 1i. Ellen Michels, president of PASH, presented the Town Council with a proposal to expand and remodel the Paradise Animal Shelter.

- 1j. Camp Fire Recovery updates were written updates included in the Agenda Packet: (110-60-061)

Colette Curtis, Recovery and Economic Development Director - Recovery Projects, Advocacy, Economic Recovery and Development, Communications and Emergency Operations

Marc Mattox, Public Works Director/Town Engineer- Infrastructure and Sewer Update

Tony Lindsey, CDD-Building and Code Enforcement update

Kate Anderson, Business and Housing Manager - Housing Update

## 2. **CONSENT CALENDAR**

**MOTION by Bolin, seconded by Jones**, approved consent calendar items 2a through 2j. Roll call vote was unanimous.

- 2a. Approved minutes of the April 12, 2022 Special and Regular Town Council meetings.
- 2b. Approved April 2022 Cash Disbursements in the amount of \$2,598,978.45. (310-10-034)
- 2c. Waived the second reading of Town Ordinance No. 616 and read by title only and adopted Town Ordinance No. 616 “An Ordinance Amending Text Regulations with Paradise Municipal Code Chapter 17.41 [Design Standards and Design Review] Relative to Updated Adoption Dates.” (540-16-185)
- 2d. Waived second reading of the entire Town Ordinance No. 617 and approved reading by title only; and, adopted Town Ordinance No. 617, “An Ordinance Amending Chapter 8.58.060 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management”. (540-16-186)
- 2e. Adopted Resolution No. 2022-26, “A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in the Finance Division Pursuant to Government Code Section 34090.” (160-20-016 & 160-20-017)
- 2f. Reviewed and filed the 3<sup>rd</sup> Quarter Investment Report for the Fiscal Year ending June 30, 2022. (360-30-006)
- 2g. Adopted Resolution No. 2022-27, “A Resolution of the Town Council of the Town of Paradise Adopting a List of Projects for Fiscal Year 2022/23 Funded by SB 1: The Road Repair and Accountability Act of 2017.” (950-40-034)
- 2h. Adopted Resolution No. 2022-28, “A Resolution of the Town Council of the Town of Paradise Authorizing the Town Manager to Issue Easements on Town Property for Utility Purposes.” (850-20-011, 950-90-004)

- 2i. Re-appointed one Planning Commissioner Kim Morris, whose term expired on June 30, 2021 for one 4-year term effective July 1, 2021 through June 30, 2025. (760-45-012)
- 2j. Adopted Resolution No. 2022-29, "A Resolution of the Town Council of the Town of Paradise Authorizing Destruction of Certain Town Records Maintained in Storage for the Human Resources Department Pursuant to Government Code Section 34090. The records listed in Exhibit B have been retained for three or more years and are eligible for destruction (160-20-016 & 160-20-017)

### **3. ITEMS REMOVED FROM CONSENT CALENDAR - None**

### **4. PUBLIC COMMUNICATION**

- 1. Ward Habriel announced the Paradise Garden Tour and commented on ways to potentially reduce insurance for those rebuilding.

### **5. PUBLIC HEARINGS**

- 5a. Business and Housing Manager Kate Anderson provided an update on the Substantial Amendment to the 2021-22 Annual Plan and requested Council open the second public hearing.

Mayor Crowder opened the public hearing at 7:05 p.m.

There were no public comments.

Mayor Crowder closed the public hearing at 7:05 p.m.

**MOTION by Jones, seconded by Tryon**, adopted the Substantial Amendment to the 2021-22 Annual Plan and authorized staff to submit the Substantial Amendment to the 2021-22 Annual Plan to the U.S. Department of Housing and Urban Development. Roll call vote was unanimous. (710-10-097)

- 5b. Business and Housing Manager Kate Anderson provided an update on proposed changes to the Citizen Participation Plan and requested the Council open the second public hearing.

Mayor Crowder opened the public hearing at 7:07 p.m.

- 1. Ward Habriel spoke in favor of citizen participation and encouraged Council to listen to the opinions of the people.

Mayor Crowder closed the public hearing at 7:09 p.m.

**MOTION by Bolin, seconded by Jones**, Adopted the revised Citizen Participation Plan and authorized staff to submit the Citizen Participation Plan to the U.S. Department of Housing and Urban Development. Roll call vote was unanimous. (710-10-093)

- 5c. Community Development Director Susan Hartman provided an update regarding the appeal of the proposed Temporary Use Permit revocation of property located at 6082 Lucky John Road, further identified as APN 053-030-005.

Mayor Crowder opened the public hearing at 7:12 p.m.

1. Christine Johnson Wood explained how she intends to address each violation.

Mayor Crowder closed the public hearing at 7: p.m.

**MOTION by Bolin, seconded by Jones** Concurred with the Planning Commission determination that the temporary land use is in violation of the interim housing urgency ordinance standards; and, concurred with the temporary use permit decision actions of the Planning Commission thereby denying the appeal. Roll call vote was unanimous. (750-10-005)

## **6. COUNCIL CONSIDERATION**

- 6a. Town Clerk Dina Volenski provided an overview of the General Election Resolutions. Town Attorney Scott Huber explained considerations in defining the “intent to rebuild” requirement for those candidates who are not currently living in Paradise but wish to run for a position on the Town Council.

### **MOTION by Bolin, seconded by Jones:**

1. Adopted Resolution No. 2022-30 “A Resolution of the Town Council of the Town of Paradise the Calling & Giving Notice for the Holding of a General Municipal Election to be Held on Tuesday, November 8, 2022, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities for the Election of Two Council Members.”

2. Adopted Resolution No. 2022-31, “A Resolution of the Town Council of the Town of Paradise Requesting the Board of Supervisors of the County of Butte to Consolidate a General Municipal Election to be Held on November 8, 2022, with the Statewide General Election to be Held on that Date for the Election of Two (2) Town Council Members.”

3. Adopted Resolution No. 2022-32, “A Resolution of the Town Council of the Town of Paradise, California Adopting Regulations for Candidates for the Elective Office Pertaining to the Candidate Statements Submitted to the Voters at a General or Special Municipal Election.” Roll call vote was unanimous. (530-10-065)

- 6b. Fire Chief Rick Manson provided an overview of the proposed ordinance amending the Paradise Municipal Code relating to Defensible Space and Hazardous Fuel Management.

1. Town Clerk Dina Volenski announced that the Town received a letter in opposition to the ordinance from Raelyn Hall which had been given to Council.
2. Ward Habriel voiced concern about hazardous trees that are still standing and the brush which has not been cleared.
3. Jon Remalia spoke in favor of hydrants.

**MOTION by Bolin, seconded by Culleton,** Waived the first reading of Town Ordinance No.618 and read by title only; and, introduced Town Ordinance No. 618, "An Ordinance Amending Paradise Municipal Code Section 8.58.060 Relating to Defensible Space and Hazardous Fuel Management". Roll call vote was unanimous. (540-16-187)

- 6c. Chief Reinbold provided an overview of the proposed Sutter Buttes Communication contract for the purchase and installation of portable and mobile two-way radios.

1. Ward Habriel shared that the AM1500 Radio signal is weak and scratchy.

**MOTION by Bolin, seconded by Tryon,** authorized the Town Manager to enter into a contract with Sutter Buttes Communications for the Purchase and Installation of portable and mobile two-way radios for Town personnel and equipment. Roll call vote was unanimous. (510-20-344)

- 6d. Chief Reinbold notified Council that this request would authorize a one-time fee to onboard the radio system.

**MOTION by Tryon, seconded by Jones,** authorized the Town Manager to pay Butte County \$85,000 to fulfill Participation Fees for BRICS. Roll call vote was unanimous. (510-20-286)

- 6e. Town Engineer Marc Mattox and consultants from Mark Thomas Engineering provided an overview of the 2022 Transportation Master Plan

**MOTION by Culleton, seconded by Jones** Approved the 2022 Transportation Master Plan (TMP) prepared by Mark Thomas, including deliverables for Daily Transportation Analysis, Traffic Evacuation Analysis, Active Transportation Plan, Local Roadway Safety Plan, Roadway Recovery Management, Economic Recovery Strategies and Design Standards. Roll call vote was unanimous. (950-40-063)

## 7. COUNCIL INITIATED ITEMS AND REPORTS

- 7a. Council initiated agenda items
  1. Discuss amending the sign ordinance to grandfather in signs that existed before the Campfire if they are removed now because a business no longer exists. If the business comes back later they would have the right to put their sign back up. (JONES)



Community Development Director Susan Hartman reported that the Paradise Municipal Code contains an enforcement section that stipulates a specific number of days a vacant lot or building is allowed to have a sign advertising a business that is no longer operating. The Town could make the request that the sign fronts be taken down, however, asking that a business remove their sign with their frames, when they are not damaged, would require a public hearing through the Planning Commission. Ms. Hartman suggested offering an incentive to those business owners, that if they voluntarily removed their signs, and decided to rebuild to the current standards, that funding might be made available to help with the extra cost. Any non-conforming use must be consistent with the General Plan. There is no stipulation in the General Plan that addresses or allows for the voluntary removal of a non-conforming use to be replaced at a later time as any new additions must conform to the current design standards.

Council provided staff with direction to explore opportunities and funding to have signs on abandoned lots removed with these ideas in mind.

7b. Council reports on committee representation

Vice Mayor Bolin reported that Carl Levins, the chairman of LAFCo for 47 years, passed away.

Council Member Jones attended the Butte County Association of Government meeting where they adopted the annual work program for the fiscal year which includes the Paradise Transit Center construction.

Council Member Culleton attended the Chocolate Festival.

Council Member Tryon attended the Butte County Air Quality Meeting, Financial Review Committee Meeting and Executive Meeting and announced that the first annual Grazing Festival would take place Saturday, June 11<sup>th</sup>.

Mayor Crowder attended Gold Nugget Days; dedication of the Pet Memorial; a high school leadership meeting with Chief Reinbold put on by the Butte County judges; the Boys and Girls Club cook-off; a tour of the Town with HCD; and the Welcome to Paradise sign dedication.

7c. Future Agenda Items - None

**8. STAFF COMMUNICATION**

- 8a. Town Manager Kevin Phillips reported that the Town is currently meeting with S&P to review the rating on the RDA Bonds; there was a community update meeting; two Long-Term Recovery Plan update meetings; that the Measure V Committee visited the vehicle maintenance shop and station 81; the Town hosted the Sac Valley Manager's Meeting; and participated in the HCD visit. Town Manager Phillips, Mayor Crowder and Council Member Culleton will be attending the Cal Cities Leadership Conference and will present the needs of the Town, as well as meet with the Attorney General

to talk about contractor fraud in Paradise. Mr. Phillips will also speak with the California Department of Insurance to try to gain buy-in to ensure the residents are able to obtain affordable insurance on the ridge.

**9. CLOSED SESSION - None**

**10. ADJOURNMENT**

Mayor Crowder adjourned the meeting at 9:07 p.m.

Date approved:

By:

Attest:

\_\_\_\_\_  
Steve Crowder, Mayor

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



**MINUTES  
PARADISE TOWN COUNCIL  
SPECIAL MEETING – 11:30 AM – May 31, 2022**

**1. OPENING**

The Special meeting of the Paradise Town Council was called to order by Mayor Crowder at 11:33 a.m. in the Council Chambers located at 5555 Skyway, Paradise, California.

**COUNCIL MEMBERS PRESENT:** Greg Bolin, Steve “Woody” Culleton, Jody Jones, Rose Tryon (arrived at 11:34 a.m.), and Steve Crowder, Mayor.

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Kevin Phillips, Deputy Clerk Melanie Elvis, Assistant Town Attorney Elizabeth Fratacangeli, Human Resources Director Crystal Peters, Business and Housing Manager Kate Anderson, Housing Technician Sarah Richter, and Information Systems Director Luis Marquez.

**2. COUNCIL CONSIDERATION**

- 2a. Housing Technician Sarah Richter provided background on the Homebuyer Acquisition Guidelines and presented on staff’s recommendation to update the guidelines.

**MOTION by Bolin, seconded by Jones,** Adopted Resolution No. 2022-33 “A Resolution of The Town Council of The Town of Paradise Rescinding Resolution 2022-01 and Adopting the New HOME and CDBG Homebuyer Acquisition Only/Acquisition with Rehabilitation Programs Guidelines”. Roll call vote was unanimous. (710-10-086)

At 11:45 a.m. Mayor Crowder announced that the Town Council would go into Closed Session to discuss the following item:

**3. CLOSED SESSION**

- 3a. Pursuant to Government Code Section 54957.6, the Town Council will hold a closed session to meet with Town Manager Kevin Phillips, Finance Director Ross Gilb, Human Resources Director Crystal Peters and Town Attorney Scott E. Huber, its designated representatives, regarding labor relations between the Town of Paradise and the Paradise Police Officers Association, Confidential Mid-Management Association, General Employees Unit, Police Mid-Management Unit and the Management Group.

At 12:32 p.m. Mayor Crowder announced that direction was given, no action was taken.

**4. ADJOURNMENT**

Mayor Crowder adjourned the Special Council Meeting at 12:33 p.m.

Date approved:

By:

Attest:

\_\_\_\_\_  
Steve Crowder, Mayor

\_\_\_\_\_  
Melanie Elvis, Deputy Town Clerk

# TOWN OF PARADISE

## CASH DISBURSEMENTS REPORT

FOR THE PERIOD OF  
**May 1, 2022 - May 31, 2022**



**CASH DISBURSEMENTS REPORT**  
**May 1, 2022 - May 31, 2022**

| Check Date       | Pay Period End | Description  | Amount                 | Total                         |
|------------------|----------------|--|------------------------|-------------------------------|
| 5/13/2022        | 5/8/2022       | Net Payroll - Direct Deposits and Checks                 | \$ 174,208.81          |                               |
| 5/27/2022        | 5/22/2022      | Net Payroll - Direct Deposits and Checks                 | <u>178,644.43</u>      |                               |
|                  |                |  |                        | \$ 352,853.24                 |
| Accounts Payable |                |  |                        |                               |
|                  |                | Payroll Vendors: Taxes, PERS, Dues, Insurance, Etc.      | 383,360.14             |                               |
|                  |                | Operations Vendors: Supplies, Contracts, Utilities, Etc. | <u>\$ 2,662,656.19</u> |                               |
|                  |                | TOTAL CASH DISBURSEMENTS ACCOUNTS PAYABLE                |                        | <u>3,046,016.33</u>           |
|                  |                | GRAND TOTAL CASH DISBURSEMENTS                           |                        | <u><u>\$ 3,398,869.57</u></u> |

APPROVED BY: \_\_\_\_\_  
Kevin Phillips, Town Manager

APPROVED BY: \_\_\_\_\_  
Ross Gilb, Finance Director / Town Treasurer



TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                       | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                   | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|------------------------------|------------|--------|-------------|----------------------------|------------------|--|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking |            |        |             |                            |                  |  |                       |                      |            |
| <u>Check</u>                 |            |        |             |                            |                  |  |                       |                      |            |
| 80523                        | 05/02/2022 | Open   |             |                            | Accounts Payable | De Lage Landen Public Finance LLC            | \$781.25              |                      |            |
| 80524                        | 05/02/2022 | Open   |             |                            | Accounts Payable | ENTERPRISE FM TRUST                          | \$1,073.32            |                      |            |
| 80525                        | 05/02/2022 | Open   |             |                            | Accounts Payable | SBA Monarch Towers III LLC                   | \$166.50              |                      |            |
| 80526                        | 05/03/2022 | Open   |             |                            | Accounts Payable | ICMA 457 - VANTAGEPOINT                      | \$1,450.00            |                      |            |
| 80527                        | 05/03/2022 | Open   |             |                            | Accounts Payable | STATE DISBURSEMENT UNIT                      | \$194.76              |                      |            |
| 80528                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AIRGAS SAFETY, INC.                          | \$233.85              |                      |            |
| 80529                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Anderson Brothers Corporation                | \$4,635.00            |                      |            |
| 80530                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T   | \$38.47               |                      |            |
| 80531                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T & CALNET3 - CIRCUIT LINES               | \$110.56              |                      |            |
| 80532                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T MOBILITY                                | \$89.46               |                      |            |
| 80533                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T/CALNET3 - REPEATER LINES                | \$211.65              |                      |            |
| 80534                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T/CALNET3 - COMMUNITY PARK                | \$22.40               |                      |            |
| 80535                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T/CALNET3 - Summary                       | \$5,442.11            |                      |            |
| 80536                        | 05/05/2022 | Open   |             |                            | Accounts Payable | AT&T/CALNET3 - TH/FDPD FIBER LINES           | \$1,136.08            |                      |            |
| 80537                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Bauer Compressors                            | \$984.89              |                      |            |
| 80538                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Big O Tires                                  | \$285.64              |                      |            |
| 80539                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Biometrics4ALL, Inc                          | \$18.75               |                      |            |
| 80540                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Broad & Gusman                               | \$4,000.00            |                      |            |
| 80541                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Bug Smart                                    | \$83.00               |                      |            |
| 80542                        | 05/05/2022 | Open   |             |                            | Accounts Payable | BUTTE CO RECORDER                            | \$84.50               |                      |            |
| 80543                        | 05/05/2022 | Open   |             |                            | Accounts Payable | BUTTE COMMUNITY COLLEGE                      | \$1,933.26            |                      |            |
| 80544                        | 05/05/2022 | Open   |             |                            | Accounts Payable | BUTTE REGIONAL TRANSIT                       | \$123.00              |                      |            |
| 80545                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Complete Solar Inc.                          | \$120.35              |                      |            |
| 80546                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Coronel Solar                                | \$920.00              |                      |            |
| 80547                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Coronel Solar                                | \$5,680.00            |                      |            |
| 80548                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Deal, Nathan                                 | \$15.00               |                      |            |
| 80549                        | 05/05/2022 | Open   |             |                            | Accounts Payable | DEPARTMENT OF FORESTRY & FIRE PROTECTION     | \$986,786.04          |                      |            |
| 80550                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dewberry Engineers Inc.                      | \$6,263.92            |                      |            |
| 80551                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dirt to Doorknobs                            | \$6,000.00            |                      |            |
| 80552                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dirt to Doorknobs                            | \$15,000.00           |                      |            |
| 80553                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dirt to Doorknobs                            | \$6,500.00            |                      |            |
| 80554                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dirt to Doorknobs                            | \$15,000.00           |                      |            |
| 80555                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                     | \$51,784.89           |                      |            |
| 80556                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                     | \$5,485.62            |                      |            |
| 80557                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                     | \$898.78              |                      |            |
| 80558                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                     | \$30,848.22           |                      |            |
| 80559                        | 05/05/2022 | Open   |             |                            | Accounts Payable | ENLOE MEDICAL CENTER, INC.                   | \$314.00              |                      |            |
| 80560                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Escherman Construction Company               | \$142,562.06          |                      |            |
| 80561                        | 05/05/2022 | Open   |             |                            | Accounts Payable | EVERGREEN JANITORIAL SUPPLY, INC.            | \$247.73              |                      |            |
| 80562                        | 05/05/2022 | Open   |             |                            | Accounts Payable | EXPERTS IN YOUR HOME                         | \$316.25              |                      |            |
| 80563                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Explore Butte County                         | \$26,440.34           |                      |            |
| 80564                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Flud, Michael                                | \$396.75              |                      |            |
| 80565                        | 05/05/2022 | Open   |             |                            | Accounts Payable | FRANKLIN CONSTRUCTION COMPANY                | \$179,901.82          |                      |            |
| 80566                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Golden State Emergency Vehicle Service, Inc. | \$1,479.15            |                      |            |
| 80567                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Granicher Appraisals, Inc                    | \$350.00              |                      |            |
| 80568                        | 05/05/2022 | Open   |             |                            | Accounts Payable | GREAT AMERICA LEASING CORP.                  | \$145.47              |                      |            |
| 80569                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Herc Rentals Inc.                            | \$1,080.54            |                      |            |

TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                       | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                    | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|------------------------------|------------|--------|-------------|----------------------------|------------------|---|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking |            |        |             |                            |                  |   |                       |                      |            |
| <u>Check</u>                 |            |        |             |                            |                  |   |                       |                      |            |
| 80570                        | 05/05/2022 | Open   |             |                            | Accounts Payable | HUDSON'S APPLIANCE CENTER                     | \$2,423.30            |                      |            |
| 80571                        | 05/05/2022 | Open   |             |                            | Accounts Payable | I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP | \$13,919.89           |                      |            |
| 80572                        | 05/05/2022 | Open   |             |                            | Accounts Payable | James or Lavenia Riotto                       | \$450.00              |                      |            |
| 80573                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Jennifer Arbuckle                             | \$5,800.00            |                      |            |
| 80574                        | 05/05/2022 | Open   |             |                            | Accounts Payable | JOHNNY ON THE SPOT PORTABLES                  | \$570.80              |                      |            |
| 80575                        | 05/05/2022 | Open   |             |                            | Accounts Payable | L.N. CURTIS & SONS                            | \$52.31               |                      |            |
| 80576                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Lindsey, Anthony                              | \$280.50              |                      |            |
| 80577                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Look Ahead Veterinary Services                | \$321.36              |                      |            |
| 80578                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$99,099.99           |                      |            |
| 80579                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$6,501.09            |                      |            |
| 80580                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$1,232.81            |                      |            |
| 80581                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$4,837.71            |                      |            |
| 80582                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$35,234.00           |                      |            |
| 80583                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$2,973.07            |                      |            |
| 80584                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$58,942.09           |                      |            |
| 80585                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$40,161.24           |                      |            |
| 80586                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Meyers Police K-9 Training, LLC               | \$1,050.00            |                      |            |
| 80587                        | 05/05/2022 | Open   |             |                            | Accounts Payable | MILLER GLASS INC                              | \$602.55              |                      |            |
| 80588                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Miwall Corporation                            | \$1,709.26            |                      |            |
| 80589                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Mt Shasta Spring Water Co., Inc               | \$57.97               |                      |            |
| 80590                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Nelson, Katherine                             | \$155.50              |                      |            |
| 80591                        | 05/05/2022 | Open   |             |                            | Accounts Payable | NICOLETTI, CHRISTOPHER                        | \$468.91              |                      |            |
| 80592                        | 05/05/2022 | Open   |             |                            | Accounts Payable | NORTHERN RECYCLING & WASTE SERVICES, INC.     | \$1,445.13            |                      |            |
| 80593                        | 05/05/2022 | Open   |             |                            | Accounts Payable | NORTHGATE PETROLEUM CO                        | \$12,171.85           |                      |            |
| 80594                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Nutrien                                       | \$10,627.40           |                      |            |
| 80595                        | 05/05/2022 | Open   |             |                            | Accounts Payable | NV5, Inc.                                     | \$271.49              |                      |            |
| 80596                        | 05/05/2022 | Open   |             |                            | Accounts Payable | O'REILLY AUTO PARTS                           | \$91.95               |                      |            |
| 80597                        | 05/05/2022 | Open   |             |                            | Accounts Payable | OFFICE DEPOT ACCT#36233169                    | \$135.23              |                      |            |
| 80598                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Pacific Credit Services (PCS)                 | \$150.00              |                      |            |
| 80599                        | 05/05/2022 | Open   |             |                            | Accounts Payable | PACIFIC GAS & ELECTRIC                        | \$604.99              |                      |            |
| 80600                        | 05/05/2022 | Open   |             |                            | Accounts Payable | PARADISE AUTO BODY                            | \$4,328.15            |                      |            |
| 80601                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Perrin Construction Inc                       | \$19,110.00           |                      |            |
| 80602                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Psomas  | \$80,066.90           |                      |            |
| 80603                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Richard Van Stavem Mobile Home Service        | \$13,000.00           |                      |            |
| 80604                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Riebes Auto Parts- Motorpool                  | \$443.51              |                      |            |
| 80605                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Sigler Pest Control                           | \$50.00               |                      |            |
| 80606                        | 05/05/2022 | Open   |             |                            | Accounts Payable | SKYWAY TOWING & SERVICE                       | \$750.00              |                      |            |
| 80607                        | 05/05/2022 | Open   |             |                            | Accounts Payable | SONSRAY MACHINERY LLC                         | \$266.24              |                      |            |
| 80608                        | 05/05/2022 | Open   |             |                            | Accounts Payable | South Placer Heating & Air                    | \$96.27               |                      |            |
| 80609                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Spherion Staffing                             | \$6,944.58            |                      |            |
| 80610                        | 05/05/2022 | Open   |             |                            | Accounts Payable | SUTTER BUTTES COMMUNICATIONS, INC.            | \$854.16              |                      |            |
| 80611                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Swedes Small Engine Repair LLC                | \$108.93              |                      |            |
| 80612                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Tahoe Pure Water Co.                          | \$41.50               |                      |            |
| 80613                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Tetra Tech - EMI                              | \$4,777.50            |                      |            |
| 80614                        | 05/05/2022 | Open   |             |                            | Accounts Payable | The SpyGlass Group LLC                        | \$35,313.72           |                      |            |
| 80615                        | 05/05/2022 | Open   |             |                            | Accounts Payable | THOMAS ACE HARDWARE - ENG. DEPT.              | \$590.31              |                      |            |
| 80616                        | 05/05/2022 | Open   |             |                            | Accounts Payable | THOMAS ACE HARDWARE - FIRE DEPT.              | \$120.09              |                      |            |

TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                       | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                      | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|------------------------------|------------|--------|-------------|----------------------------|------------------|---|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking |            |        |             |                            |                  |   |                       |                      |            |
| <u>Check</u>                 |            |        |             |                            |                  |   |                       |                      |            |
| 80617                        | 05/05/2022 | Open   |             |                            | Accounts Payable | THOMAS ACE HARDWARE - MOTORPOOL                 | \$8.67                |                      |            |
| 80618                        | 05/05/2022 | Open   |             |                            | Accounts Payable | THOMAS ACE HARDWARE - POLICE DEPT.              | \$126.53              |                      |            |
| 80619                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Urban Planning Partners Inc                     | \$11,453.75           |                      |            |
| 80620                        | 05/05/2022 | Open   |             |                            | Accounts Payable | White Glove Cleaning Svc Inc, Theresa Contreras | \$5,810.00            |                      |            |
| 80621                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Wood Rodgers, Inc.                              | \$36,763.00           |                      |            |
| 80622                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Wood Rodgers, Inc.                              | \$3,678.95            |                      |            |
| 80624                        | 05/05/2022 | Open   |             |                            | Accounts Payable | YOWZERS.COM                                     | \$32.32               |                      |            |
| 80625                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Aflac   | \$57.98               |                      |            |
| 80626                        | 05/05/2022 | Open   |             |                            | Accounts Payable | Met Life  | \$10,773.89           |                      |            |
| 80627                        | 05/05/2022 | Open   |             |                            | Accounts Payable | OPERATING ENGINEERS                             | \$973.50              |                      |            |
| 80628                        | 05/05/2022 | Open   |             |                            | Accounts Payable | PARADISE POLICE OFFICERS ASSOCIATION            | \$1,733.71            |                      |            |
| 80629                        | 05/05/2022 | Open   |             |                            | Accounts Payable | SUN LIFE INSURANCE                              | \$6,242.04            |                      |            |
| 80630                        | 05/05/2022 | Open   |             |                            | Accounts Payable | SUPERIOR VISION SVC NGLIC                       | \$838.24              |                      |            |
| 80631                        | 05/05/2022 | Open   |             |                            | Accounts Payable | TOP CONFIDENTIAL MID MGMT ASSOCIATION           | \$120.00              |                      |            |
| 80632                        | 05/18/2022 | Open   |             |                            | Accounts Payable | ICMA 457 - VANTAGEPOINT                         | \$1,450.00            |                      |            |
| 80633                        | 05/18/2022 | Open   |             |                            | Accounts Payable | STATE DISBURSEMENT UNIT                         | \$194.76              |                      |            |
| 80634                        | 05/19/2022 | Open   |             |                            | Accounts Payable | ACCESS INFORMATION PROTECTED                    | \$192.12              |                      |            |
| 80635                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Adams Ashby Group, Inc.                         | \$17,437.50           |                      |            |
| 80636                        | 05/19/2022 | Open   |             |                            | Accounts Payable | ADVANCED DOCUMENT CONCEPTS                      | \$283.35              |                      |            |
| 80637                        | 05/19/2022 | Open   |             |                            | Accounts Payable | ANIMAL HOSPITAL/VETMOBILE                       | \$642.40              |                      |            |
| 80638                        | 05/19/2022 | Open   |             |                            | Accounts Payable | AT&T & CALNET3 - CIRCUIT LINES                  | \$710.93              |                      |            |
| 80639                        | 05/19/2022 | Open   |             |                            | Accounts Payable | AT&T MOBILITY                                   | \$69.55               |                      |            |
| 80640                        | 05/19/2022 | Open   |             |                            | Accounts Payable | AT&T MOBILITY                                   | \$176.55              |                      |            |
| 80641                        | 05/19/2022 | Open   |             |                            | Accounts Payable | AWARDS COMPANY                                  | \$74.97               |                      |            |
| 80642                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Balken Construction                             | \$24,747.00           |                      |            |
| 80643                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Bear Electrical Systems, Inc                    | \$19,427.69           |                      |            |
| 80644                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BIDWELL TITLE & ESCROW                          | \$175.00              |                      |            |
| 80645                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BIDWELL TITLE & ESCROW                          | \$175.00              |                      |            |
| 80646                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BIDWELL TITLE & ESCROW                          | \$175.00              |                      |            |
| 80647                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BIDWELL TITLE & ESCROW                          | \$175.00              |                      |            |
| 80648                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BIDWELL TITLE & ESCROW                          | \$175.00              |                      |            |
| 80649                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Big O Tires                                     | \$46.41               |                      |            |
| 80650                        | 05/19/2022 | Open   |             |                            | Accounts Payable | BUTTE CO SHERIFF'S OFFICE                       | \$90,887.20           |                      |            |
| 80651                        | 05/19/2022 | Open   |             |                            | Accounts Payable | CALIFORNIA STATE DEPARTMENT OF JUSTICE          | \$671.00              |                      |            |
| 80652                        | 05/19/2022 | Open   |             |                            | Accounts Payable | CivicPlus, LLC                                  | \$1,197.00            |                      |            |
| 80653                        | 05/19/2022 | Open   |             |                            | Accounts Payable | COMCAST CABLE                                   | \$416.40              |                      |            |
| 80654                        | 05/19/2022 | Open   |             |                            | Accounts Payable | COMCAST CABLE                                   | \$391.40              |                      |            |
| 80655                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Constant Associates                             | \$11,750.00           |                      |            |
| 80656                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Creative Composition Inc                        | \$321.75              |                      |            |
| 80657                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Cursor Control Inc.                             | \$1,500.00            |                      |            |
| 80658                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                        | \$72,357.70           |                      |            |
| 80659                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                        | \$66,809.33           |                      |            |
| 80660                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Dokken Engineering, Inc.                        | \$2,656.85            |                      |            |
| 80661                        | 05/19/2022 | Open   |             |                            | Accounts Payable | DURHAM PENTZ TRUCK CENTER                       | \$89.29               |                      |            |
| 80662                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Eagle Security Systems                          | \$402.81              |                      |            |
| 80663                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Employment Development Dept                     | \$2,486.02            |                      |            |
| 80664                        | 05/19/2022 | Open   |             |                            | Accounts Payable | ENLOE MEDICAL CENTER, INC.                      | \$39.00               |                      |            |

TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                       | Date       | Status | Void Reason | Reconciled/<br>Voided Date | Source           | Payee Name                                    | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|------------------------------|------------|--------|-------------|----------------------------|------------------|---|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking |            |        |             |                            |                  |   |                       |                      |            |
| <u>Check</u>                 |            |        |             |                            |                  |   |                       |                      |            |
| 80665                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Entersect                                     | \$109.95              |                      |            |
| 80666                        | 05/19/2022 | Open   |             |                            | Accounts Payable | EVERGREEN JANITORIAL SUPPLY, INC.             | \$49.65               |                      |            |
| 80667                        | 05/19/2022 | Open   |             |                            | Accounts Payable | FEDERAL EXPRESS                               | \$33.10               |                      |            |
| 80668                        | 05/19/2022 | Open   |             |                            | Accounts Payable | FLORES TOOL & FASTENER                        | \$224.05              |                      |            |
| 80669                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Granicher Appraisals, Inc                     | \$350.00              |                      |            |
| 80670                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Granicher Appraisals, Inc                     | \$350.00              |                      |            |
| 80671                        | 05/19/2022 | Open   |             |                            | Accounts Payable | GREAT AMERICA LEASING CORP.                   | \$129.31              |                      |            |
| 80672                        | 05/19/2022 | Open   |             |                            | Accounts Payable | GREEN RIDGE LANDSCAPING                       | \$5,441.17            |                      |            |
| 80673                        | 05/19/2022 | Open   |             |                            | Accounts Payable | HDR Engineering, Inc                          | \$72,439.85           |                      |            |
| 80674                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Hope Crisis Response Network, Inc             | \$20,000.00           |                      |            |
| 80675                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Hope Crisis Response Network, Inc             | \$14,782.00           |                      |            |
| 80676                        | 05/19/2022 | Open   |             |                            | Accounts Payable | I.M.P.A.C. PAYMENTS IMPAC GOV SVCS/US BANCORP | \$4,713.88            |                      |            |
| 80677                        | 05/19/2022 | Open   |             |                            | Accounts Payable | INTERSTATE SALES                              | \$581.85              |                      |            |
| 80678                        | 05/19/2022 | Open   |             |                            | Accounts Payable | J.J.R. Enterprises Inc                        | \$1,192.44            |                      |            |
| 80679                        | 05/19/2022 | Open   |             |                            | Accounts Payable | James or Lavenia Riotto                       | \$700.00              |                      |            |
| 80680                        | 05/19/2022 | Open   |             |                            | Accounts Payable | KNIFE RIVER CONSTRUCTION                      | \$538.18              |                      |            |
| 80681                        | 05/19/2022 | Open   |             |                            | Accounts Payable | KOEFRAN INDUSTRIES                            | \$1,200.00            |                      |            |
| 80682                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Kovacs, Cameron                               | \$320.58              |                      |            |
| 80683                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Law Office of Gregory P. Einhorn              | \$1,600.00            |                      |            |
| 80684                        | 05/19/2022 | Open   |             |                            | Accounts Payable | LOCATE PLUS CORPORATION                       | \$53.00               |                      |            |
| 80685                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Mark Thomas & Company Inc                     | \$8,613.93            |                      |            |
| 80686                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Mennonite Disaster Service                    | \$11,880.00           |                      |            |
| 80687                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Mennonite Disaster Service                    | \$65,790.00           |                      |            |
| 80688                        | 05/19/2022 | Open   |             |                            | Accounts Payable | MID VALLEY TITLE & ESCROW                     | \$507.25              |                      |            |
| 80689                        | 05/19/2022 | Open   |             |                            | Accounts Payable | MID VALLEY TITLE & ESCROW                     | \$507.25              |                      |            |
| 80690                        | 05/19/2022 | Open   |             |                            | Accounts Payable | MOBILE MINI INC                               | \$475.93              |                      |            |
| 80691                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Modern Carpet Cleaning                        | \$684.72              |                      |            |
| 80692                        | 05/19/2022 | Open   |             |                            | Accounts Payable | MUNIMETRIX SYSTEMS CORP                       | \$39.99               |                      |            |
| 80693                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Nelson, Katherine                             | \$113.49              |                      |            |
| 80694                        | 05/19/2022 | Open   |             |                            | Accounts Payable | North State Tire Co. Inc.                     | \$981.65              |                      |            |
| 80695                        | 05/19/2022 | Open   |             |                            | Accounts Payable | NORTHGATE PETROLEUM CO                        | \$10,321.21           |                      |            |
| 80696                        | 05/19/2022 | Open   |             |                            | Accounts Payable | O'REILLY AUTO PARTS                           | \$44.63               |                      |            |
| 80697                        | 05/19/2022 | Open   |             |                            | Accounts Payable | OFFICE DEPOT ACCT#36233169                    | \$536.45              |                      |            |
| 80698                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Pace Analytical Services, LLC                 | \$2,064.00            |                      |            |
| 80699                        | 05/19/2022 | Open   |             |                            | Accounts Payable | PACIFIC GAS & ELECTRIC                        | \$11,430.43           |                      |            |
| 80700                        | 05/19/2022 | Open   |             |                            | Accounts Payable | PARADISE ALLIANCE CHURCH                      | \$280.00              |                      |            |
| 80701                        | 05/19/2022 | Open   |             |                            | Accounts Payable | PARADISE POST                                 | \$685.72              |                      |            |
| 80702                        | 05/19/2022 | Open   |             |                            | Accounts Payable | PARADISE RECREATION & PARK DISTRICT           | \$1,100.00            |                      |            |
| 80703                        | 05/19/2022 | Open   |             |                            | Accounts Payable | PETERSON TRACTOR CO                           | \$101.46              |                      |            |
| 80704                        | 05/19/2022 | Open   |             |                            | Accounts Payable | R B SPENCER INC                               | \$3,512.78            |                      |            |
| 80705                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Redding Eureka Freightliner, Inc              | \$770.77              |                      |            |
| 80706                        | 05/19/2022 | Open   |             |                            | Accounts Payable | RENTAL GUYS - CHICO                           | \$101.89              |                      |            |
| 80707                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Riebes Auto Parts- Motorpool                  | \$511.27              |                      |            |
| 80708                        | 05/19/2022 | Open   |             |                            | Accounts Payable | SANCHEZ, EDDIE                                | \$475.00              |                      |            |
| 80709                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Scotts PPE Recon Inc.                         | \$437.30              |                      |            |
| 80710                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Shelby's Pest Control, Inc.                   | \$80.00               |                      |            |
| 80711                        | 05/19/2022 | Open   |             |                            | Accounts Payable | Sigler Pest Control                           | \$50.00               |                      |            |

TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                              | Date       | Status | Void Reason      | Reconciled/<br>Voided Date | Source           | Payee Name                         | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|-------------------------------------|------------|--------|------------------|----------------------------|------------------|------------------------------------|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking        |            |        |                  |                            |                  |                                    |                       |                      |            |
| <u>Check</u>                        |            |        |                  |                            |                  |                                    |                       |                      |            |
| 80712                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | SILVERADO AVIONICS, INC            | \$15,065.92           |                      |            |
| 80713                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Spherion Staffing                  | \$7,469.24            |                      |            |
| 80714                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Stratti                            | \$18,249.95           |                      |            |
| 80715                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | SUTTER BUTTES COMMUNICATIONS, INC. | \$481.81              |                      |            |
| 80716                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Swedes Small Engine Repair LLC     | \$120.87              |                      |            |
| 80717                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | T and S DVBE Inc.                  | \$290.55              |                      |            |
| 80718                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Tetra Tech - EMI                   | \$3,140.00            |                      |            |
| 80719                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | THOMAS ACE HARDWARE - ENG. DEPT.   | \$426.96              |                      |            |
| 80720                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | THOMAS ACE HARDWARE - FIRE DEPT.   | \$51.39               |                      |            |
| 80721                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | THOMAS ACE HARDWARE - MOTORPOOL    | \$15.49               |                      |            |
| 80722                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | THOMAS ACE HARDWARE - POLICE DEPT. | \$53.15               |                      |            |
| 80723                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Tri Flame Propane                  | \$94.22               |                      |            |
| 80724                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | VERIZON WIRELESS                   | \$345.38              |                      |            |
| 80725                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | VERIZON WIRELESS                   | \$1,093.57            |                      |            |
| 80726                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | VERIZON WIRELESS                   | \$694.55              |                      |            |
| 80727                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | VERIZON WIRELESS                   | \$1,127.32            |                      |            |
| 80728                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | VERIZON WIRELESS                   | \$308.12              |                      |            |
| 80729                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Waste Tire Products R & D          | \$6,476.00            |                      |            |
| 80730                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Westlake Ace Hardware              | \$129.26              |                      |            |
| 80731                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | WITTMER AUTO CENTER                | \$13.45               |                      |            |
| 80732                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Wood, Montana, S                   | \$25.85               |                      |            |
| 80733                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | Wood Rodgers, Inc.                 | \$10,091.10           |                      |            |
| 80734                               | 05/19/2022 | Open   |                  |                            | Accounts Payable | YOWZERS.COM                        | \$258.60              |                      |            |
| 80735                               | 05/26/2022 | Open   |                  |                            | Accounts Payable | ICMA 457 - VANTAGEPOINT            | \$1,000.00            |                      |            |
| 80736                               | 05/26/2022 | Open   |                  |                            | Accounts Payable | STATE DISBURSEMENT UNIT            | \$194.76              |                      |            |
| Type Check Totals:                  |            |        |                  |                            | 213 Transactions |                                    | \$2,687,879.83        |                      |            |
| <u>EFT</u>                          |            |        |                  |                            |                  |                                    |                       |                      |            |
| 1285                                | 05/03/2022 | Open   |                  |                            | Accounts Payable | CALPERS - RETIREMENT               | \$44,022.91           |                      |            |
| 1286                                | 05/03/2022 | Voided | Incorrect Vendor | 05/03/2022                 | Accounts Payable | ING LIFE INS & ANNUITY COMPANY     | \$7,635.00            |                      |            |
| 1287                                | 05/05/2022 | Open   |                  |                            | Accounts Payable | CALPERS                            | \$123,437.07          |                      |            |
| 1293                                | 05/10/2022 | Open   |                  |                            | Accounts Payable | EMPLOYMENT DEVELOPMENT DEPARTMENT  | \$8,115.47            |                      |            |
| 1294                                | 05/10/2022 | Open   |                  |                            | Accounts Payable | INTERNAL REVENUE SERVICE           | \$30,009.33           |                      |            |
| 1295                                | 05/18/2022 | Open   |                  |                            | Accounts Payable | CALPERS - RETIREMENT               | \$44,890.91           |                      |            |
| 1296                                | 05/18/2022 | Open   |                  |                            | Accounts Payable | ING LIFE INS & ANNUITY COMPANY     | \$7,660.00            |                      |            |
| 1297                                | 05/26/2022 | Open   |                  |                            | Accounts Payable | CALPERS - RETIREMENT               | \$44,943.14           |                      |            |
| 1298                                | 05/26/2022 | Open   |                  |                            | Accounts Payable | EMPLOYMENT DEVELOPMENT DEPARTMENT  | \$8,545.28            |                      |            |
| 1299                                | 05/26/2022 | Open   |                  |                            | Accounts Payable | ING LIFE INS & ANNUITY COMPANY     | \$7,710.00            |                      |            |
| 1300                                | 05/26/2022 | Open   |                  |                            | Accounts Payable | INTERNAL REVENUE SERVICE           | \$31,167.39           |                      |            |
| Type EFT Totals:                    |            |        |                  |                            | 11 Transactions  |                                    | \$358,136.50          |                      |            |
| AP - US Bank TOP AP Checking Totals |            |        |                  |                            |                  |                                    |                       |                      |            |

| Checks | Status     | Count | Transaction Amount | Reconciled Amount |
|--------|------------|-------|--------------------|-------------------|
|        | Open       | 213   | \$2,687,879.83     | \$0.00            |
|        | Reconciled | 0     | \$0.00             | \$0.00            |
|        | Voided     | 0     | \$0.00             | \$0.00            |
|        | Stopped    | 0     | \$0.00             | \$0.00            |
|        | Total      | 213   | \$2,687,879.83     | \$0.00            |

TOWN OF PARADISE  
**Payment Register**

From Payment Date: 5/1/2022 - To Payment Date: 5/31/2022

| Number                       | Date | Status | Void Reason | Reconciled/<br>Voided Date | Source | Payee Name | Transaction<br>Amount | Reconciled<br>Amount | Difference |
|------------------------------|------|--------|-------------|----------------------------|--------|------------|-----------------------|----------------------|------------|
| AP - US Bank TOP AP Checking |      |        |             |                            |        |            |                       |                      |            |
| <u>Check</u>                 |      |        |             |                            |        |            |                       |                      |            |

| EFTs | Status     | Count | Transaction Amount | Reconciled Amount |
|------|------------|-------|--------------------|-------------------|
|      | Open       | 10    | \$350,501.50       | \$0.00            |
|      | Reconciled | 0     | \$0.00             | \$0.00            |
|      | Voided     | 1     | \$7,635.00         | \$0.00            |
|      | Total      | 11    | \$358,136.50       | \$0.00            |

| All | Status     | Count | Transaction Amount | Reconciled Amount |
|-----|------------|-------|--------------------|-------------------|
|     | Open       | 223   | \$3,038,381.33     | \$0.00            |
|     | Reconciled | 0     | \$0.00             | \$0.00            |
|     | Voided     | 1     | \$7,635.00         | \$0.00            |
|     | Stopped    | 0     | \$0.00             | \$0.00            |
|     | Total      | 224   | \$3,046,016.33     | \$0.00            |



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 2(c)**

**ORIGINATED BY:** Susan Hartman, Community Development  
Director – Planning & Wastewater  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Resolution of Intention of the Town Council to Set a  
Public Hearing to Consider Naming a Private Access  
Easement off of Pentz Rd in the Town of Paradise to  
“Papa Nana Lane”

**LONG TERM** No  
**RECOVERY PLAN:**

**COUNCIL ACTION REQUESTED:**

1. Adopt Resolution No. 2022-\_\_\_\_, “A Resolution of Intention of the Town Council of the Town of Paradise to Set a Public Hearing to Consider Naming an Existing Private Access Easement off Pentz Road, Located in the Town of Paradise. Petitioner: Travis Thomsen, et al”; OR
2. Adopt a motion to continue the matter to a date certain and direct staff to provide any additional desired information pertaining to the requested road name; OR
3. Adopt a motion to deny adoption of Town Resolution No. 2022-\_\_\_\_\_.

**Background:**

The Development Services Department has received a petition application from property owners requesting that the Town of Paradise formally name an existing private access easement, connecting to Pentz Road, to a new private road name. The petition application has been submitted for processing in accordance with the requirements of Chapter 12.08 of the Paradise Municipal Code (PMC) which permits, but does not require, a road name for access ways that serves less than three parcels containing one or more habitable structures.

This private access easement is located in the northeast portion of the Paradise community off of Pentz Road and serves 7157 & 7159 Pentz Rd. The entire length of the 40’ wide access and utility easement extending west from Pentz Road is **privately owned and maintained** and was created through a recorded 2-lot parcel map in 1987.

The access easement currently serves two properties owned between two landowners, both of whom have signed the petition to name the access easement, and therefore there are no other properties subject to the proposed road name.

**Analysis:**

The Paradise Municipal Code (PMC) procedural requirements necessitate that a public hearing be conducted by the Town Council concerning the petition application before the Town of Paradise can formally take action on the requested road name creation.

A resolution of intention to set a public hearing to consider naming the existing private access easement to “Papa Nana Lane” is attached with this council agenda summary. If the resolution is adopted, copies of it will be posted in three places along the affected easement at least ten (10) days before the public hearing date.

In the event that the Town Council decides to officially name the easement, another resolution must be adopted by the Town Council after the public hearing is concluded.

**Financial Impact:**

There is no financial impact to the Town for the adoption and posting of the notice of intention.

Attachment



## TOWN OF PARADISE

### RESOLUTION NO. 2022-\_\_\_\_\_

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
INTENDING TO NAME AN EXISTING PRIVATE ACCESS EASEMENT OFF OF  
PENTZ ROAD, LOCATED IN THE TOWN OF PARADISE:  
PETITIONER: TRAVIS THOMSEN, ET AL**

**WHEREAS**, the Town of Paradise has received a petition from property owners (Travis Thomsen, et al) requesting that the Town of Paradise officially name an existing private access easement off Pentz Road; and

**WHEREAS**, Pursuant to the provisions of Section 12.08.080 of the Paradise Municipal Code, the Paradise Town Council shall set a date for public hearing to consider the proposal to issue a private road name of “Papa Nana Lane”.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Paradise, as follows:

1. The Town Council will conduct a public hearing on July 12, 2022, at 6:00 p.m. or as soon thereafter as possible, at the Town Council Chambers, 5555 Skyway, Paradise, California, concerning a petition application request that the Town of Paradise officially name a private access easement, located within the Town of Paradise and described as follows:

A 40’ non-exclusive easement for ingress and egress and for public utilities and to be reserved in the deeds as shown on the Parcel Map filed for record in the Butte County Recorder’s Office on April 22, 1987, in Book 107 of Maps, at Pages 19 and 20.

2. The Town Council intends to name the foregoing described private access easement subject to comment at the scheduled public hearing.
3. The road name proceedings are being conducted pursuant to the requirements of Chapter 12.08 (Street naming and numbering—Addresses) of the Paradise Municipal Code.

**TOWN OF PARADISE**

**RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
INTENDING TO NAME AN EXISTING PRIVATE ACCESS EASEMENT OFF PENTZ  
ROAD, LOCATED IN THE TOWN OF PARADISE: PETITIONER: TRAVIS THOMSEN,  
ET AL**

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise this 14<sup>TH</sup>  
day of June, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

\_\_\_\_\_  
Steve Crowder, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott E Huber, Town Attorney



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 2(d)**

**ORIGINATED BY:** Tony Lindsey, Community Development Director  
– Building & Code Enforcement

**REVIEWED BY:** Kevin Phillips, Town Manager  
Scott Huber, Town Attorney

**SUBJECT:** Adoption of Ordinance No. 618

**LONG TERM  
RECOVERY PLAN:** No

**COUNCIL ACTION REQUESTED:** Upon conclusion of the public discussion of this agenda item, adopt either the recommended action or an alternative action.

1. Waive second reading of Town Ordinance No. 618 and approve reading by title only;  
**AND**
2. Adopt Town Ordinance No. 618, "An Ordinance Amending Chapter 8.58.060 to the Paradise Municipal Code Relating to Defensible Space and Hazardous Fuel Management".

**Background:**

On May 10, 2022, the Town Council introduced the above-noted Town ordinance for purposes of eventual adoption. If adopted, the proposed ordinance intends to amend Section 8.58.060 of the Paradise Municipal Code to align with the Insurance Institute for Business & Home Safety Wildfire Prepared Home program.

**Analysis:**

Town staff recommends the Town Council waive the second reading of this entire ordinance; read it by title only, and formally adopt Town Ordinance No. 618 [copy attached]. Once adopted, the provisions of this ordinance will be effective in 30 days.

**Financial Impact:**

There will be a nominal cost for publishing the ordinance within the local newspaper and codification.

**LIST OF ATTACHMENTS**

1. Ordinance No. 618 " An Ordinance Amending Paradise Municipal Code Section 8.58.060 Relating to Defensible Space and Hazardous Fuel Management".

## **TOWN OF PARADISE ORDINANCE NO. 618**

### **AN ORDINANCE AMENDING PARADISE MUNICIPAL CODE SECTION 8.58.060 RELATING TO DEFENSIBLE SPACE AND HAZARDOUS FUEL MANAGEMENT**

**SECTION 1.** Section 8.58.060 of the Paradise Municipal Code is amended to read as follows:

#### **8.58.60 Defensible Space/Hazardous Fuel Management Requirements**

- A. Any person that owns, leases, controls, operates, or maintains any real property in the Town of Paradise shall continuously do the following:
  1. Maintain immediately around and adjacent to any building or structure free of combustible materials. Only noncombustible material shall be allowed within five (5) feet of any building or structure. No vegetation shall exist within or overhang within five (5) feet of the structure. Any overhanging limbs or branches shall be removed. All exterior walls shall have a six-inch noncombustible vertical clearance from grade.
  2. All unattached accessory structures and outbuildings shall be a minimum of ten (10) feet away from the primary dwelling.
  3. Remove or prune flammable plants and shrubs near windows and under eave vents (a recommended no-planting zone). Combustible materials shall not be stored under decks and the area under decks shall be maintained free of vegetative material. Decks or porches four (4) feet or less above the grade shall be fully enclosed to reduce the accumulation of debris with noncombustible wall material. Noncombustible, corrosion-resistant mesh material with openings not to exceed 1/8 inch may be used.
  4. Fencing material constructed of combustible material shall not be within five (5) feet from any structure. All fencing shall be a single line; back-to-back fencing is not permitted in which fences are nominally parallel and spaced less than three (3) feet apart.
  5. Clean roofs and gutters of dead leaves, debris and pine needles. In addition to the management of combustible material around a structure, the following shall be required: 1) Replace or repair any loose or missing shingles or roof tiles to prevent ember penetration. 2) Provide and maintain a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings that are not more than 1/2 inch.

6. Maintain an area adjacent to any structure with a one-hundred (100)-foot fire break made by removing and clearing away all flammable vegetation or other combustible growth from the structure on each side thereof or to the property line, whichever is closer. Within the one hundred (100)-foot fire break: 1) weeds and dry grass shall be required to be mowed to a height of four (4) inches; 2) ladder fuels (vegetation, brush and small trees under mature trees) shall be removed; 3) trees shall be pruned up to six (6) feet from the ground. For shorter height trees, pruning shall not exceed 1/3 of the overall tree height. Tree placement shall be planned to ensure the mature canopy is no closer than ten (10) feet to the edge of the structure. Trees and shrubs shall be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape. This subsection does not apply to single tree specimens, ornamental shrubbery, or similar plants which are used as ground cover and provided they do not form a means of rapidly transmitting fire from the native growth to any building or structure. Remove the portion of any tree which extends within ten (10) feet of the outlet of any chimney or stovepipe. Maintain any tree adjacent to or overhanging any structure free of dead and dying wood.
  7. Remove the portion of any tree which extends within ten (10) feet of the outlet of any chimney or stovepipe. Maintain any tree adjacent to or overhanging any structure free of dead and dying wood.
  8. Clear flammable vegetation on each side of a street or driveway for a horizontal distance of ten (10) feet and a vertical height of fourteen (14) feet. Cut vegetation within ten (10) feet of a street or driveway on the property to four (4) inches above ground. The Fire Chief, or his or her designee, may require a distance greater than ten (10) feet. This applies to public and private driveway(s) and any public or private streets that border or bisect property.
- A. No property owner shall permit on improved or unimproved parcel any accumulation of combustible materials, dead, dying or diseased trees, or green waste within thirty (30) feet of the property line when such accumulation endangers or encroaches on the required Defensible Space for structures or buildings on an adjacent property. The Fire Chief, or his or her designee, may require a distance greater than thirty (30) feet but not to exceed one hundred (100) feet, when it is determined that the greater distance is necessary to provide Defensible Space for structures or building on an adjacent property.
  - B. An unimproved parcel of one and one-half (1.5) acres or less in size shall be required to provide fuel modification to the entire parcel. Fuel modification requirements shall consist of the following:

1. Weeds, dry grass and brush are required to be mowed to a height of four (4) inches.
2. Ladder fuels (vegetation, brush and small trees under mature trees) shall be removed.
3. Trees shall be pruned up to six (6) feet from the ground. For shorter height trees, pruning shall not exceed one-third ( $\frac{1}{3}$ ) of the overall tree height. Tree placement shall be planned to ensure the mature canopy is no closer than ten (10) feet to the edge of any structure.

Unimproved parcels greater than one and one-half (1.5) acres in size shall be required to maintain a fuel break a minimum thirty (30) feet from the property line. The fuel break requirements shall consist of the same requirements as unimproved parcel of one and one-half (1.5) acres or less.

- C. In the event the fire chief, or his or her designee, finds that additional fuel management is necessary to significantly reduce the risk of transmission of flame or heat to adjacent properties and means of egress and ingress, the fire chief, or his or her designee, may mandate fuel modification of an area more or less than the preceding widths or heights of this section.
- E. On and after April 1, 2022, and prior to the transfer of ownership of a parcel from a seller to a buyer, or from one owner to another, the seller or owner shall first obtain a certificate of compliance from the Town that the parcel is not in violation of this section prior to the transfer of ownership. Any issued Certificate of Compliance shall remain valid for 90 days from the inspection date and may be used to open escrow without payment of an additional Certificate of Compliance fee.
- F. Grazing animals (limited to goats and/or sheep) utilized for weed abatement may graze open and other appropriate areas of natural vegetation for a period not to exceed sixty (60) days in a calendar year.

**SECTION 2.** Pursuant to California Environmental Quality Act (CEQA) Guidelines section 15308 this ordinance is exempt from CEQA in that it is a Class 8 categorical exemption for actions taken by a regulatory agency to establish procedures for the protection of the environment.

**SECTION 3.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

**PASSED AND ADOPTED** BY THE Town Council of the Town of Paradise, County of Butte, State of California, on this \_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Steve Crowder, Mayor

ATTEST:

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DINA VOLENSKI, Town Clerk

APPROVED AS TO FORM:

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Scott E. Huber, Town Attorney

**TOWN OF PARADISE  
ORDINANCE NO. 618**

**AN ORDINANCE AMENDING PARADISE MUNICIPAL CODE SECTION 8.58.060 RELATING TO  
DEFENSIBLE SPACE AND HAZARDOUS FUEL MANAGEMENT**

**SECTION 1.** Section 8.58.060 of the Paradise Municipal Code is amended to read as follows:

**8.58.60 Defensible Space/Hazardous Fuel Management Requirements**

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1. Maintain immediately around and adjacent to any building or structure free of combustible materials. Only noncombustible material shall be allowed within five (5) feet of any building or structure. No vegetation shall exist within or overhang within five (5) feet of the structure. Any overhanging limbs or branches shall be removed. All exterior walls shall have a six-inch noncombustible vertical clearance from grade.
  2. All unattached accessory structures and outbuildings shall be a minimum of ten (10) feet away from the primary dwelling.
  3. Remove or prune flammable plants and shrubs near windows and under eave vents (a recommended no-planting zone). Combustible materials shall not be stored under decks and the area under decks shall be maintained free of vegetative material. Decks or porches four (4) feet or less above the grade shall be fully enclosed to reduce the accumulation of debris with noncombustible wall material. Noncombustible, corrosion-resistant mesh material with openings not to exceed 1/8 inch may be used.
  4. Fencing material constructed of combustible material shall not be within five (5) feet from any structure. All fencing shall be a single line; back-to-back fencing is not permitted in which fences are nominally parallel and spaced less than three (3) feet apart.
  5. Clean roofs and gutters of dead leaves, debris and pine needles. In addition to the management of combustible material around a structure, the following shall be required: 1) Replace or repair any loose or missing shingles or roof tiles to prevent ember penetration. 2) Provide and maintain a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings that are not more than 1/2 inch.
  6. Maintain an area adjacent to any structure with a one-hundred (100)-foot fire break made by removing and clearing away all flammable vegetation or other combustible growth from the structure on each side thereof or to the property line, whichever is closer. Within the one hundred (100)-foot fire break: 1) weeds and dry grass shall be required to be mowed to a height of four (4) inches; 2) ladder fuels (vegetation, brush and small trees under mature trees) shall be



removed; 3) trees shall be pruned up to six (6) feet from the ground. For shorter height trees, pruning shall not exceed  $\frac{1}{3}$  of the overall tree height. Tree placement shall be planned to ensure the mature canopy is no closer than ten (10) feet to the edge of the structure. Trees and shrubs shall be limited to small clusters of a few each to break up the continuity of the vegetation across the

landscape. This subsection does not apply to single tree specimens, ornamental shrubbery, or similar plants which are used as ground cover and provided they do not form a means of rapidly transmitting fire from the native growth to any building or structure. Remove the portion of any tree which extends within ten (10) feet of the outlet of any chimney or stovepipe. Maintain any tree adjacent to or overhanging any structure free of dead and dying wood.

7. Remove the portion of any tree which extends within ten (10) feet of the outlet of any chimney or stovepipe. Maintain any tree adjacent to or overhanging any structure free of dead and dying wood.
8. Clear flammable vegetation on each side of a street or driveway for a horizontal distance of ten (10) feet and a vertical height of fourteen (14) feet. Cut vegetation within ten (10) feet of a street or driveway on the property to four (4) inches above ground. The Fire Chief, or his or her designee, may require a distance greater than ten (10) feet. This applies to public and private driveway(s) and any public or private streets that border or bisect property.

A. No property owner shall permit on improved or unimproved parcel any accumulation of combustible materials, dead, dying or diseased trees, or green waste within thirty (30) feet of the property line when such accumulation endangers or encroaches on the required Defensible Space for structures or buildings on an adjacent property. The Fire Chief, or his or her designee, may require a distance greater than thirty (30) feet but not to exceed one hundred (100) feet, when it is determined that the greater distance is necessary to provide Defensible Space for structures or building on an adjacent property.

B. An unimproved parcel of one and one-half (1.5) acres or less in size shall be required to provide fuel modification to the entire parcel. Fuel modification requirements shall consist of the following:

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2. Ladder fuels (vegetation, brush and small trees under mature trees) shall be removed.
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- C. In the event the fire chief, or his or her designee, finds that additional fuel management is necessary to significantly reduce the risk of transmission of flame or heat to adjacent properties and means of egress and ingress, the fire chief, or his or her designee, may mandate fuel modification of an area more or less than the preceding widths or heights of this section.
- E. On and after April 1, 2022, and prior to the transfer of ownership of a parcel from a seller to a buyer, or from one owner to another, the seller or owner shall first obtain a certificate of compliance from the Town that the parcel is not in violation of this section prior to the transfer of ownership. Any issued Certificate of Compliance shall remain valid for 90 days from the inspection date and may be used to open escrow without payment of an additional Certificate of Compliance fee.
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**SECTION 3.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

**PASSED AND ADOPTED** BY THE Town Council of the Town of Paradise, County of Butte, State of California, on this 14<sup>th</sup> day of June 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Steve Crowder, Mayor

**ATTEST:**

---

DINA VOLENSKI, Town Clerk

**APPROVED AS TO FORM:**

---

Scott E. Huber, Town Attorney

## **EMPLOYMENT AGREEMENT**

**THIS AGREEMENT**, amended and restated on June 14, 2022, between the TOWN OF PARADISE, a municipal corporation of the State of California, (**TOWN**) and Kevin Phillips, (**EMPLOYEE**).

### **WITNESSETH:**

**WHEREAS**, the **TOWN** and **EMPLOYEE** desire to enter into Agreement relating to his continued employment as the Town Manager; and

**WHEREAS**, it is the desire of the **TOWN** to provide certain benefits, establish certain conditions of employment, and to set working conditions of **EMPLOYEE**; and,

**WHEREAS**, it is the desire of the **TOWN** to:

Fairly compensate the **EMPLOYEE** relating to his classification;

Secure and retain the services of the **EMPLOYEE** and to provide inducement for him to remain in such employment;

Establish a basis for good working relationships, to avoid possible misunderstandings, and to provide special benefits to the **EMPLOYEE** in recognition of the unique nature of his position;

Make possible full work productivity by assuring **EMPLOYEE**'s morale and peace of mind with respect to future security;

Act as a deterrent against malfeasance or dishonesty for personal gain on the part of the **EMPLOYEE**; and

Provide a just means for terminating **EMPLOYEE**'s services at such time as he may be unable to fully discharge his duties due to illness or disability or when the **TOWN** may otherwise desire to terminate his employment; and

**WHEREAS**, **EMPLOYEE** desires to continue employment as the Town Manager of the Town of Paradise.

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, the parties agree as follows:

## SECTION 1: DUTIES AND RESPONSIBILITIES

- A. On September 11, 2020, **EMPLOYEE** assumed the duties of the Town Manager of the **TOWN**. Upon approval of this Agreement by all parties, **EMPLOYEE** shall continue as Town Manager for the **Town** as outlined in this Agreement.
- B. The duties, responsibilities, and authority of the **EMPLOYEE**, shall be those specified in Chapter 2.04 of the Paradise Municipal Code and such other legally permissible and proper duties and functions as the Town Council shall assign.
- C. The Town Council agrees to direct its concerns and communications to Town administration through the **EMPLOYEE**. The **EMPLOYEE** agrees to respond promptly to all inquiries from the Mayor and the Town Council. Individual inquiries of council members regarding question of fact, clarification of policies and requests for services shall be responded to promptly by **EMPLOYEE**.

## SECTION 2: TERMS OF AGREEMENT

- A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Town Council to terminate with or without cause the services of **EMPLOYEE** at any time as an at-will employee, subject only to the provisions set forth in Section 4, Paragraphs A and B of this Agreement.
- B. Nothing in the Agreement shall prevent, limit, or otherwise interfere with the right of the **EMPLOYEE** to resign at any time his position with the **TOWN**, subject only to the provisions set forth in Section 4, Paragraph C of this Agreement.
- C. **EMPLOYEE** agrees to remain in the exclusive employ of **TOWN** for the term of the Agreement and to neither seek, accept, or to become employed by any other employer that would have a detrimental impact on his duties and responsibilities as Town Manager for the Town of Paradise. The term "employed" shall not be construed to include occasional teaching, writing, or consulting performed on **EMPLOYEE**'s time off.
- D.
  - (1) It shall be the responsibility of the **EMPLOYEE** to notify the Council of expiration of this Agreement. Notice of the expiration shall be given to the Council six (6) months prior to the expiration. Failure of **EMPLOYEE** to give such notice shall cause this Agreement to expire on its own terms;
  - (2) After receiving notice under Section 2D(1), the Town Council may give **EMPLOYEE** notice of its intent to renew this Agreement. If the

Council does not give such notice, this Agreement shall terminate by its own terms. The Council shall notify **EMPLOYEE** of its intent to renew this Agreement ninety (90) days prior to the expiration of this Agreement;

### **SECTION 3: SUSPENSION & REMOVAL**

After providing the **EMPLOYEE** with a written notice stating the Council's intention to remove him, at least thirty (30) days before the effective date of his removal, the Town Council may suspend **EMPLOYEE** from duty, but his compensation shall continue until the effective date of his removal. Council may suspend **EMPLOYEE** in accordance with the provisions of the Paradise Municipal Code 2.04.240(C). **EMPLOYEE** may exercise his right for a public hearing in accordance with the Paradise Municipal Code 2.04.240(B) or California Government Code Section 54957. In the event of misconduct, the **EMPLOYEE** shall be removed in accordance with the Paradise Municipal Code 2.04.240.

### **SECTION 4: TERMINATION AND SEVERANCE PAY**

- A. Should **TOWN** elect to exercise its right to terminate **EMPLOYEE** without cause, then **TOWN** shall give at forty-five (45) days advance, written notice to him. **TOWN** shall have the right to separate **EMPLOYEE** immediately from **TOWN** service, with the payment of cash severance pay in a lump sum equal to six (6) month's salary and pay for unused annual vacation leave, administrative leave, and sick leave in accordance with the **TOWN** Personnel System Rules or any applicable employee Memorandum of Understanding, or in the **TOWN**'s sole option, require **EMPLOYEE** to continue to perform services under this Agreement until the forty-five (45) day period has elapsed.
- B. In the event **TOWN**, at any time during the term of this Agreement, reduces the salary or other financial benefits of **EMPLOYEE** in a greater percentage than an applicable across-the-board reduction for all employees of the **TOWN**; or if the Council refuses, following written notice requesting compliance with any other provision benefiting **EMPLOYEE** herein; or if **EMPLOYEE** resigns following suggestion, whether formal or informal, by the Town Council that he resign, then the **EMPLOYEE** may, at his option, deem the Agreement to be involuntarily terminated at the date of such reduction or such refusal to comply with the meaning and context of this Agreement, and the severance pay provision under Paragraph A of this Section shall apply.
- C. In the event **EMPLOYEE** voluntarily resigns his position with the **TOWN** before expiration of the above term of employment, **EMPLOYEE** shall give the **TOWN** forty-five (45) days written notice in advance or such advance notice as may be otherwise mutually agreed upon. In case of such

voluntary resignation, the **TOWN** shall have no obligation to pay the severance pay referred to in Paragraph A above.

## **SECTION 5: PERFORMANCE EVALUATION**

- A. The Town Council shall review and evaluate the performance of the **EMPLOYEE** annually. The review and evaluation shall be in accordance with the duties outlined in Section 1 and specific criteria developed jointly by the Town Council and **EMPLOYEE**. The criteria may be added to or deleted from as the Town Council may, from time to time, determine in consultation with the **EMPLOYEE**. Further, the Town Council shall provide an adequate opportunity for the **EMPLOYEE** to discuss his evaluation with the Town Council, and the results of such evaluations shall be reduced to writing and agreed to by both parties.
- B. Every three (3) months, the Town Council and the **EMPLOYEE** shall define such goals and performance objectives which they determine necessary for the proper operation of the **TOWN** and for the attainment of the Town Council's policy objectives. Such goals and objectives shall be reduced to writing, and a relative priority shall be established among the goals and objectives. They shall generally be attainable within the time limitations as specified, and the annual operating and capital budgets and appropriations provided.
- C. In effecting the provisions of this section, the Town Council and the **EMPLOYEE** mutually agree to abide by the provisions of applicable law, ordinances, resolutions and current policies of the **TOWN**.

## **SECTION 6: PROFESSIONAL DEVELOPMENT**

- A. The **TOWN** agrees to budget and pay for the professional dues and subscriptions of the **EMPLOYEE** necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional advancement and for the good of the **TOWN** at a cost not to exceed budget allocations approved by the Town Council.
- B. The **TOWN** agrees to budget and pay for the travel, subsistence and other expenses for professional, business and official travel, courses, seminars, conferences and occasions adequate to continue to professional development of the **EMPLOYEE** and to adequately pursue necessary official business and other functions for the good of the **TOWN**. These expenses shall not exceed budget allocations approved by the Town Council.

## SECTION 7: HOURS OF WORK

- A. The minimum workweek of the **EMPLOYEE** shall be forty (40) hours, plus any additional work time reasonably required to discharge the duties and responsibilities of the Town Manager. Because the **EMPLOYEE** will devote a great deal of time outside normal office hours to the business of the **TOWN**, and because flexibility in hours worked and work schedule benefit both the **TOWN** and **EMPLOYEE**, the **EMPLOYEE** has some discretion as to his work schedule and hours worked.
- B. In further recognition of the fact that the **EMPLOYEE** must devote a great deal of time outside normal business hours to the business of the **TOWN**, he shall be entitled to administrative leave in accordance with the provisions of the Memorandums of Understanding applicable to Management Employees.

## SECTION 8: SALARY AND OTHER BENEFITS

- A. Salary. The **TOWN** shall pay **EMPLOYEE** for his services rendered pursuant to this Agreement; an annual base salary at Step F of the Town Manager Salary Schedule attached as Exhibit "A" payable in installments at the same time as other employees are paid.
- B. Indemnification. The **TOWN** shall indemnify and defend **EMPLOYEE** in accordance with the provisions of California Government Code Sections 825 et seq. 995 et seq., and related statutes.
- C. Employee Benefits. The **TOWN** shall provide **EMPLOYEE** with the benefits shown in the attached Exhibit "B".

## SECTION 9: GENERAL PROVISIONS

- A. This Agreement shall become effective on July 1, 2022, and shall terminate on June 30, 2025, unless extended by mutual agreement between the **TOWN** and **EMPLOYEE**.
- B. The provisions herein shall constitute the entire Agreement between the parties.
- C. Nothing shall restrict the ability of the Council and **EMPLOYEE** to mutually, and in writing, amend or adjust the terms of this Agreement. **EMPLOYEE** reserves the right to discuss the terms or termination of this Agreement with the Town Council as a whole in either closed or open regular sessions, as state law allows and as the **EMPLOYEE** deems appropriate.



- D. **EMPLOYEE** agrees to maintain a residence within fifteen (15) miles of Town Hall during the term of this employment.
- E. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- F. This Agreement is personal to the parties and shall not be assigned.
- G. This Agreement supersedes all previous agreements between the parties. It contains the sole and exclusive agreement of the parties and correctly states the rights, duties and obligations of the parties. Any oral or written representations or negotiations not expressly set forth in this Agreement are of no force or effect.

**IN WITNESS WHEREOF**, the Town of Paradise has caused this Agreement to be signed and executed on its behalf by its Mayor, and the **EMPLOYEE** has signed and executed this Agreement, both in duplicate, the date and year first above written.

\_\_\_\_\_  
Steve Crowder, Mayor

\_\_\_\_\_  
Kevin Phillips, Town Manager

ATTEST: *June 15, 2022*

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

APPROVED AS TO FORM.

\_\_\_\_\_  
Scott E. Huber, Town Attorney

**TOWN OF PARADISE SALARY PAY PLAN**  
**TOWN MANAGER**  
**Exhibit "A"**

| Position<br>Title             | Hours/<br>Week | A<br>Step  | B<br>Step  | C<br>Step  | D<br>Step  | E<br>Step  | F<br>Step  |
|-------------------------------|----------------|------------|------------|------------|------------|------------|------------|
| <b>TOWN MANAGER</b>           |                |            |            |            |            |            |            |
| <i>Effective July 5, 2021</i> |                |            |            |            |            |            |            |
| HOURLY                        | 40             | 69.46      | 72.93      | 76.58      | 80.41      | 84.43      | 88.65      |
| BIWEEKLY                      |                | 5,556.80   | 5,834.40   | 6,126.40   | 6,432.80   | 6,754.40   | 7,092.00   |
| MONTHLY                       |                | 12,039.73  | 12,641.20  | 13,273.87  | 13,937.73  | 14,634.53  | 15,366.00  |
| ANNUAL                        |                | 144,476.80 | 151,694.40 | 159,286.40 | 167,252.80 | 175,614.40 | 184,392.00 |
| <i>Effective July 4, 2022</i> |                |            |            |            |            |            |            |
| HOURLY                        | 40             | 72.24      | 75.85      | 79.64      | 83.62      | 87.80      | 92.19      |
| BIWEEKLY                      |                | 5,779.20   | 6,068.00   | 6,371.20   | 6,689.60   | 7,024.00   | 7,375.20   |
| MONTHLY                       |                | 12,521.60  | 13,147.33  | 13,804.27  | 14,494.13  | 15,218.67  | 15,979.60  |
| ANNUAL                        |                | 150,259.20 | 157,768.00 | 165,651.20 | 173,929.60 | 182,624.00 | 191,755.20 |
| <i>Effective July 3, 2023</i> |                |            |            |            |            |            |            |
| HOURLY                        | 40             | 75.13      | 78.89      | 82.83      | 86.97      | 91.32      | 95.89      |
| BIWEEKLY                      |                | 6,010.40   | 6,311.20   | 6,626.40   | 6,957.60   | 7,305.60   | 7,671.20   |
| MONTHLY                       |                | 13,022.53  | 13,674.27  | 14,357.20  | 15,074.80  | 15,828.80  | 16,620.93  |
| ANNUAL                        |                | 156,270.40 | 164,091.20 | 172,286.40 | 180,897.60 | 189,945.60 | 199,451.20 |
| <i>Effective July 1, 2024</i> |                |            |            |            |            |            |            |
| HOURLY                        | 40             | 78.14      | 82.05      | 86.15      | 90.46      | 94.98      | 99.73      |
| BIWEEKLY                      |                | 6,251.20   | 6,564.00   | 6,892.00   | 7,236.80   | 7,598.40   | 7,978.40   |
| MONTHLY                       |                | 13,544.27  | 14,222.00  | 14,932.67  | 15,679.73  | 16,463.20  | 17,286.53  |
| ANNUAL                        |                | 162,531.20 | 170,664.00 | 179,192.00 | 188,156.80 | 197,558.40 | 207,438.40 |

## EXHIBIT "B"

### TOWN MANAGER BENEFITS

In accordance with the current Management Group MOU, adopted June 14, 2022, benefits under the Employee Agreement shall be as follows:

- Vacation with 0-4 years of service = 120 hours, maximum 3X annual accrual.
- Sick leave accrual = 8 hours per month, maximum accrual 1,500 hours.
- Holidays = 11 standard + 2 floating holiday.
- Administrative Leave = 120 hours.
- Bereavement Leave = 3 days.
- Long Term Disability Insurance = 2/3 base salary, up to a maximum.
- Life Insurance coverage = \$150,000.
- Dental Insurance = 80% (Town) and 20% (Employee) premium share. Any increase in the dental plan premium below 9.99% will be shared 80(employer)/20(employee). Any increase amount for the dental plan premium rate above 10% will be shared 50/50.
- Vision Insurance = 80% (Town) and 20% (Employee) premium share.
- Health Insurance = Town agrees to pay monthly a portion of the premiums for a medical plan, up to, but not exceeding the following amounts effective following approval of the CalPERS Health Resolution by the Town of Paradise Town Council, and the subsequent CalPERS Health Contract change date, which is on the first day of the second month in which the resolution is filed and received by CalPERS, the Town agrees to pay monthly a portion of the premiums for a medical plan, up to, but not exceeding the following amounts.

#### Town Share Cap:

|                           |            |
|---------------------------|------------|
| Employee                  | \$504.16   |
| Employee plus one         | \$1,008.30 |
| Employee plus two or more | \$1,310.80 |

- PERS Retiree Medical in accordance with PERS Resolution for Management Group.
- PERS Retirement formula in accordance with Public Employees Pension Reform Act of 2013 (PEPRA) eligibility. New, non-classic PERS miscellaneous members are eligible for the 2% at 62 PERS plan with 3-year final compensation averaging.

#### Unique to Town Manager Contract:

- Car allowance = \$125 per month in addition to a Town provided cell phone.



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 5(a)**

**ORIGINATED BY:** Susan Hartman, Community Development  
Director – Planning & Wastewater  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Planning Commission Recommendation for Town  
Council Adoption of the Town of Paradise 2022-2030  
Housing Element Update and Certification of its  
Associated Negative Declaration Environmental  
Document  
**LONG TERM** Yes – General Plan Update  
**RECOVERY PLAN:**

**COUNCIL ACTION REQUESTED:**

1. Conduct the duly noticed and scheduled public hearing and concur with the recommended actions adopted by the Planning Commission of May 24, 2022, and embodied within Planning Commission Resolution No. 2022-02; **AND**
2. Certify and adopt the proposed Initial Study and Negative Declaration document as it relates to the proposed 2022-2030 Town of Paradise Housing Element Update; **AND**
3. Adopt Town of Paradise Resolution No. 2022-\_\_\_\_\_, “A Resolution of the Town Council of the Town of Paradise Adopting an Amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan”; **OR**
4. Provide alternative direction to town staff.

**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.

In February 2021, Urban Planning Partners, Inc. (UPP) was selected as the Town's consultant and began the process of reviewing the 2014-2022 Housing Element, collecting, and analyzing housing data such as population, housing and employment characteristics, the regional allocation of housing units, the characteristics of the housing market, and the housing needs of special populations to begin the preparation of the 2022-2030 Housing Element.

The 2022-2030 Regional Housing Needs Allocations for the Town of Paradise are as follows:

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

As part of the work effort to update the Housing Element, planning staff and UPP enacted a 3-part community engagement process. The first phase entailed interviews with housing stakeholders and community-based organizations about barriers to housing and identifying the best methods of public engagement. The second phase focused on the current housing needs by utilizing the data collected through the local census survey, ahead of the delayed US Census data, as part of the Town's Consolidated Plan update. In the third phase of engagement, working sessions with town staff, stakeholders, a public meeting, and online survey were used to help formulate community-supported solutions to local housing challenges.

On December 3, 2021, the Public Draft Housing Element was made available for public review and comment with written comments being accepted through 5:00 p.m., January 4, 2022. Only grammatical corrections/typos were received from the public during that timeframe.

On January 18, 2022, the Draft Housing Element was forwarded to the State Dept of Housing & Community Development (HCD) for their initial 90-day review at the recommendation of the Planning Commission during their special January 13, 2022 meeting. A virtual meeting was conducted with HCD staff regarding their preliminary review worksheet on March 18, 2022. As a result of that conversation, additional information was provided to HCD for their housing element review.

HCD's final draft comments were received by staff on April 18, 2022. Two subsequent virtual meetings were held with HCD staff to review the comments in detail before beginning on the additional data analysis required in order to secure final certification of the Housing Element from HCD.

On April 15, 2022, the 30-day review period began for the Initial Study and Negative Declaration (CEQA environmental review) which was noticed in the newspaper and uploaded to the State Clearinghouse. The Initial Study & Negative Declaration covered both the Housing Element & the Safety Element Updates (still in initial review with Cal Fire). Comments were accepted until 12:00 p.m. on Monday May 16, 2022. There were no comments received from the public.

At their May 24, 2022 meeting, the Planning Commission adopted Resolution 2022-02 recommending Town Council adoption of the 2022-2030 Housing Element update and certification and adoption of the Initial Study and Negative Declaration.

**Analysis:**

The draft housing element letter from HCD staff, received on April 18, 2022, indicated that the draft 2022-2030 Housing Element update would meet the statutory requirements of State Housing Element law with the additional analysis and program timeframe updates requested. Therefore, a final version of the Housing Element update is being presented to the Town Council, incorporating those items, for consideration and adoption. Upon adoption, the Final 2022-2030 Housing Element will be submitted to HCD for final certification.

Attached with the staff report for your review and consideration are copies of 1) the proposed final Town of Paradise 2022-2030 Housing Element Update and 2) its related proposed Initial Study and Negative Declaration document dated April 2022. In addition, a Planning Commission Resolution and several other documents are attached for your review and consideration.

**Financial Impact:**

If adopted by the Town Council, the cost associated with filing the Notice of Determination with the County Clerk for the (CEQA) Negative Declaration will be paid for out of the General Plan Update fund.

**Attachments:**

- Notice of the Town Council public hearing of June 14, 2022.
- Planning Commission Resolution No. 2022-02.
- Town of Paradise Resolution No. 2022-\_\_\_\_; "A Resolution of the Town Council of the Town of Paradise Adopting an Amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan".
- Final Adoption Draft of the Town of Paradise Updated 2022-2030 Housing Element.
- Initial Study and Negative Declaration environmental document.

**TOWN OF PARADISE  
NOTICE OF PUBLIC HEARING  
PARADISE TOWN COUNCIL**

**NOTICE IS HEREBY GIVEN** by the Paradise Town Council that a public hearing will be held on **Tuesday, June 14, 2022** at 6:00 p.m., or as soon thereafter as possible, in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matter:

- a. Item for which a Negative Declaration is proposed to be adopted

**Town of Paradise Housing Element Update** – The Town Council will hold a public hearing regarding the proposed Final Town of Paradise General Plan Housing Element update. The updated Housing Element is intended to address the housing needs of the Town of Paradise from 2022 to 2030. The State of California requires periodic updates of Housing Elements to address the necessary conditions for developing and preserving an adequate supply of housing for all income categories. The proposed Final Housing Element update analyzed the post-fire housing needs of the Town and aimed to develop goals, policies, and programs which create a more wildfire resilient housing inventory. The proposed amendments included text changes in order to be consistent with the Butte County Regional Housing Needs Plan: June 15, 2022-June 15, 2030 and changes to State housing law enacted since 2014.

The draft Housing Element and associated environmental document can be found online at <https://www.townofparadise.com/planning/page/housing-element-2022> or a public view copy is available at the Building Resiliency Center located at 6295 Skyway. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the town Clerk at, or prior to, the public hearing. For further information please contact the Planning Division at (530) 872-6291, extension 424.

Dina Volenski  
Town Clerk

**PARADISE PLANNING COMMISSION  
RESOLUTION NO. 2022-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARADISE  
RECOMMENDING TOWN COUNCIL ADOPTION OF THE TEXT AMENDMENT TO THE HOUSING  
ELEMENT (2022-2030 HOUSING ELEMENT) OF THE 1994 PARADISE GENERAL PLAN (Town of  
Paradise Housing Element 2022 Update)**

**WHEREAS**, on December 10, 2020, the Butte County Association of Governments (BCAG) adopted the Butte County Regional Housing Needs Plan (RHNP): December 31, 2021 – June 15, 2030, establishing a housing allocation for the Town of Paradise that needs to be incorporated and appropriately addressed within the Housing Element of the 1994 Paradise General Plan, and;

**WHEREAS**, existing State housing element law requires the Town of Paradise to amend the Housing Element of its 1994 Paradise General Plan not only to make it consistent with the RHNP but also to become consistent with changes to State housing element law adopted from 2014 to 2022; and

**WHEREAS**, it is in the best interests of the Paradise citizenry that the 1994 Paradise General Plan include a Housing Element that is updated to be consistent with the RHNP and that has been determined by the State Department of Housing and Community Development (HCD) to be in compliance with State housing element law; and

**WHEREAS**, town staff with the assistance of a planning consultant hired by the Town of Paradise has generated a proposed 1994 Paradise General Plan amendment document (Housing Element 2022 Update) that proposes adoption of the 2022-2030 Housing Element as a text amendment to the 2014-2022 Housing Element in order to make it consistent with the RHNP and in compliance with current State housing element law; and

**WHEREAS**, the proposed 2022-2030 Housing Element has been circulated for review by the public and HCD consistent with the requirements of State housing element law; and

**WHEREAS**, the Town of Paradise determined that the Housing Element Update was subject to the California Environmental Quality Act (CEQA) and circulated a Notice of Intent to Adopt a Negative Declaration for the Housing Element and an Initial Study for public review; and

**WHEREAS**, the Paradise Planning Commission has conducted a public hearing, pursuant to California planning and zoning law concerning a proposed amendment to the 2014-2022 Housing Element text of the 1994 Paradise General Plan; and

**WHEREAS**, such public hearing also included review of potential environmental impacts associated with said amendment to the Paradise General Plan, pursuant to the requirements of the California Environmental Quality Act (CEQA); and



TOWN OF PARADISE  
PARADISE PLANNING COMMISSION  
RESOLUTION NO. 2022-02

**WHEREAS**, California Government Code Sections 65353 and 65354 require the Planning Commission to conduct a public hearing and notify the Town Council in writing of its recommendation; and

**WHEREAS**, the Planning Commission has considered the analysis and recommendations of town staff; has considered the 2022-2030 Housing Element, as revised in response to recent comments received from the State Department of Housing and Community Development; and has considered comments made at a public hearing conducted by the Planning Commission; and on the basis thereof has determined pursuant to Government Code Section 65358 that a certain amendment to the 1994 Paradise General Plan that would replace the 2014-2022 Housing Element with the 2022-2030 Housing Element in order to attain compliance consistency with the RHNP as well as with current State housing element law is not only in the public interest but also would be internally consistent with the remainder of the Paradise General Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE PARADISE PLANNING COMMISSION AS FOLLOWS:**

**SECTION 1.** The Planning Commission hereby recommends that the Town Council certify and adopt the proposed Initial Study and Negative Declaration document as it relates to the proposed Town of Paradise Housing Element 2022 Update; and


**SECTION 2.** The Planning Commission further recommends that the Town Council adopt the amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan known as Town of Paradise Housing Element 2022 Update in order to make the Paradise Housing Element consistent with the RHNP and current State housing element law, which amendment is set forth in Exhibit "A" attached hereto.

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 24<sup>th</sup> day of May, 2022, by the following vote:

**AYES:** Lynn Costa, Kim Morris, Ron Lassonde, Zeb Reynolds and Carissa Garrard, Chair  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

  
\_\_\_\_\_  
Carissa Garrard, Chair

**ATTEST:**

By: \_\_\_\_\_  
Dina Volenski, Town Clerk

**TOWN OF PARADISE  
RESOLUTION NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE ADOPTING AN  
AMENDMENT TO THE HOUSING ELEMENT (2022-2030 HOUSING ELEMENT) OF THE  
1994 PARADISE GENERAL PLAN:  
TOWN OF PARADISE HOUSING ELEMENT 2022**

**WHEREAS**, on December 10, 2020, the Butte County Association of Governments (BCAG) adopted the Butte County Regional Housing Needs Plan (RHNP): December 31, 2021 – June 15, 2030, establishing a housing allocation for the Town of Paradise that needs to be incorporated and appropriately addressed within the Housing Element of the 1994 Paradise General Plan, and;

**WHEREAS**, existing State housing element law requires the Town of Paradise to amend the Housing Element of its 1994 Paradise General Plan not only to make it consistent with the RHNP but also to become consistent with changes to State housing element law adopted from 2014 to 2022; and

**WHEREAS**, it is in the best interests of the Paradise citizenry that the 1994 Paradise General Plan include a Housing Element that is updated to be consistent with the RHNP and that has been determined by the State Department of Housing and Community Development (HCD) to be in compliance with State housing element law; and

**WHEREAS**, town staff with the assistance of a planning consultant hired by the Town of Paradise has generated a proposed 1994 Paradise General Plan amendment document (2022-2030 Housing Element) that proposes adoption of the 2022-2030 Housing Element as a text amendment to the 2014-2022 Housing Element in order to make it consistent with the RHNP and in compliance with current State housing element law; and

**WHEREAS**, the Paradise Planning Commission and the Paradise Town Council have conducted public hearings, pursuant to California planning and zoning law concerning a proposed amendment to the 2014-2022 Housing Element text of the 1994 Paradise General Plan; and

**WHEREAS**, such public hearing also included review of potential environmental impacts associated with said amendment to the Paradise General Plan, pursuant to the requirements of the California Environmental Quality Act (CEQA); and

**WHEREAS**, California Government Code Sections 65358 allows a legislative body to amend its General Plan; and

**WHEREAS**, the action of the Town Council is pursuant to the requirements of Government Code Sections 65090 and 65355; and

**WHEREAS**, the Town Council has considered the analysis and recommendations of town staff; has received and considered the recommendation of the Planning Commission via adopted Planning Commission Resolution No. 2022-02 in response to recent comments received from the State Department of Housing and Community Development; and has considered comments made at a public hearing conducted by the Town Council; and on the basis thereof has determined pursuant to Government Code Section 65358 that a certain amendment to the 1994 Paradise General Plan that would replace the 2014-2022 Housing Element with the 2022-2030 Housing Element in order to attain compliance consistency with the RHNP as well as with current State housing element law is not only in the public interest but also would be internally consistent with the remainder of the Paradise General Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE PARADISE TOWN COUNCIL AS FOLLOWS:**

**SECTION 1.** The Town Council hereby adopts and certifies that the Initial Study and Negative Declaration document as it relates to the proposed Town of Paradise Housing Element 2022 Update has been completed in compliance with CEQA; and

**SECTION 2.** The Town Council hereby adopts the amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan known as Town of Paradise Housing Element 2022 Update in order to make the Paradise Housing Element consistent with the RHNP and current State housing element law, which amendment is set forth in Exhibit “A” attached hereto.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise this 14<sup>th</sup> day of June, 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Steve Crowder, Mayor

**TOWN OF PARADISE  
RESOLUTION NO. 2022-\_\_\_\_\_**

**ATTEST:**

**By:** \_\_\_\_\_  
Dina Volenski, Town Clerk

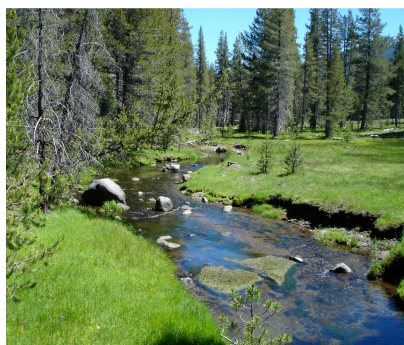
**APPROVED AS TO FORM:**

**By:** \_\_\_\_\_  
Scott E. Huber, Town Attorney



# Town of Paradise

## 2022-2030 Housing Element Update



Prepared for:  
Town of Paradise

HCD Revisions Draft  
May 2022

URBAN  
PLANNING  
PARTNERS  
INC.





# Town of Paradise

## 2022-2030 Housing Element Update

Prepared for:

Town of Paradise

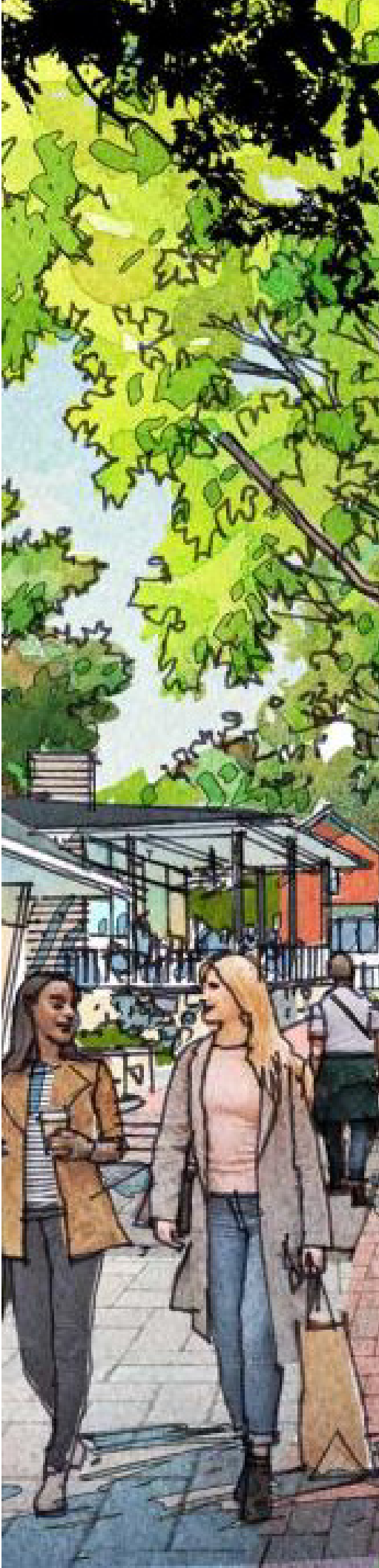
HCD Revisions Draft

May 2022

URBAN  
PLANNING  
PARTNERS  
INC.







## TABLE OF CONTENTS

|   |    |
|---|----|
| CHAPTER 1   INTRODUCTION .....  | 1  |
| Contents .....  | 2  |
| Relationship to Other Elements .....  | 2  |
| CHAPTER 2   HOUSING NEEDS ASSESSMENT .....                                    | 5  |
| Camp Fire Context .....   | 5  |
| Summary of Key Facts .....  | 6  |
| Affirmatively Furthering Fair Housing .....                                   | 9  |
| Regional Housing Needs Allocation .....                                       | 13 |
| CHAPTER 3   CONSTRAINTS .....   | 15 |
| Governmental Constraints .....  | 15 |
| Zoning for a Variety of Housing Types .....                                   | 22 |
| Permit Approval Process .....   | 28 |
| Infrastructure Constraints .....  | 33 |
| Non-Governmental Constraints .....  | 36 |
| At-Risk Assessment.....   | 40 |
| Termination Notice Requirements.....  | 41 |
| Active Termination Notices.....   | 41 |
| Opportunities for Energy Conservation.....                                    | 41 |
| CHAPTER 4   RESOURCES .....   | 43 |
| Housing Sites Inventory .....   | 43 |
| Realistic Unit Yield .....  | 47 |
| Paradise Sewer Project .....  | 52 |
| Rezoning .....  | 54 |
| Available Sites for Extremely Low-, Very Low-, and Low-<br>Income Units ..... | 54 |
| Available Sites for Moderate- and Above-Moderate Income<br>Units .....        | 56 |
| Town of Paradise Financial Resources .....                                    | 56 |
| Butte County and Community Programs .....                                     | 58 |
| Resources for Special Housing Needs.....                                      | 58 |
| Other State and Federal Programs.....   | 60 |
| Incentives for Affordable Housing Development.....                            | 60 |
| Existing Affordable Housing Units.....  | 60 |
| Qualified Housing Entities.....   | 60 |

## TABLE OF CONTENTS

|  |    |
|--|----|
| CHAPTER 5   EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT ..                       | 63 |
| Review of the Previous Housing Element .....                                   | 63 |
| Appropriateness of Housing Element.....  | 64 |
| CHAPTER 6   HOUSING GOALS, POLICIES, AND PROGRAMS.....                         | 77 |
| Goals, Policies, and Programs .....  | 77 |
| Conclusion .....   | 89 |
| CHAPTER 7   COMMUNITY PARTICIPATION .....                                      | 91 |
| Development of the Draft Housing Element .....                                 | 91 |
| PHase 1 – Housing Element Initiation.....                                      | 92 |
| Phase 2 – Understand Existing Conditions .....                                 | 92 |
| Phase 3 – Testing Solutions .....  | 92 |
| Affirmatively Furthering Fair Housing (AFFH) .....                             | 93 |
| Summary of Outreach Activities .....   | 93 |
| APPENDICES   |    |
| Appendix A: Housing Needs Report   |    |
| Appendix B: Affirmatively Furthering Fair Housing Report                       |    |
| Appendix C: Town of Paradise General Plan Designations<br>and Zoning Districts |    |
| Appendix D: Sites Inventory  |    |
| Appendix E: Outreach Results   |    |

## LIST OF TABLES

|  |    |
|--|----|
| Table 2-1: Final Town of Paradise RHNA by Income Tier .....  | 14 |
| Table 3-1: Uses Allowed by Zoning District.....  | 18 |
| Table 3-2: Development Standards by Zoning District.....   | 19 |
| Table 3-3: Parking Requirements by Facility .....  | 20 |
| Table 3-4: Parking Requirements By Zoning District.....  | 20 |
| Table 3-5: Required On- and Off-Site Improvements.....   | 20 |
| Table 3-6: Planning Application Review Process .....   | 31 |
| Table 3-7: Application Processing Times .....  | 31 |
| Table 3-8: Planning and Build Services Fee Schedule.....   | 32 |
| Table 3-9: Total Processing and Impact Fees for Multi-Family<br>Units in Paradise .....                  | 32 |
| Table 3-10: Average Annual Mortgage Interest Rates 2005–2020<br>(Q1).....                                | 38 |
| Table 3-11: Construction Costs .....   | 39 |
| Table 3-12: Federally Assisted Multi-Family Housing.....   | 41 |
| Table 4-1: Summary of Residential Sites Inventory (2022-2030) .....                                      | 44 |
| Table 4-2: Summary of Available Housing Sites by Zoning,<br>Acreage, and Unit Yield.....                 | 46 |
| Table 4-3: Single-Family and Manufactured Housing<br>Affordability.....                                  | 47 |
| Table 4-4: Recent Multi-Family Projects .....  | 48 |
| Table 4-5: Sewer Service Overlay Densities .....   | 52 |
| Table 4-6: Summary of Residential Sites Inventory (2022-2030)<br>Without Sewer System.....               | 54 |
| Table 4-7: Sewer Area Rezoning .....   | 55 |
| Table 4-8: By-Right Rezoning .....   | 55 |
| Table 4-9: Summary of Financial Resources.....   | 59 |
| Table 4-10: Existing Deed Restricted Affordable Housing Units.....                                       | 61 |
| Table 5-1: Comparison of Objectives and Achievements .....   | 64 |
| Table 5-2: Evaluation of Previous Housing Element Programs.....  | 65 |
| Table 6-1: Quantified Objectives: Construction, Rehabilitation,<br>and Preservation by Income Level..... | 89 |
| Table 6-2: Quantified Objectives for Very Low- and Low-<br>Income Units by Program.....                  | 89 |
| Table 6-3: Quantified Objectives for Special Needs Units by<br>Program.....                              | 89 |
| Table 7-1: Stakeholder Interviews .....  | 94 |

## LIST OF FIGURES

|   |    |
|---|----|
| Figure 3-1: C-S Zones and Proximity to Services ..... | 27 |
| Figure 3-2: Paradise Bus Service .....                | 28 |
| Figure 4-1: Adequate Residential Sites.....           | 45 |
| Figure 4-2: Potential Residential Sites.....          | 49 |



## CHAPTER 1 | INTRODUCTION

The Town of Paradise has traditionally been known as a small rural town on the outskirts of Chico. As the population of the state continues to grow and pressure on resources increases, Paradise is concerned with providing adequate housing opportunities while maintaining a high standard of living for all citizens in the community. Recognizing the importance of providing adequate housing, the State has mandated a housing element in every general plan since 1969. This Housing Element (2022–2030) was created in compliance with State general plan law pertaining to housing elements and was adopted on [Placeholder], 2022.

Meeting the housing needs of Paradise’s residents and the Town’s share of regional housing needs is an important goal for the Town, and the 6th Cycle Housing Element update comes at a critical time for the Town. In 2018, Paradise and some surrounding areas in Butte County faced one of the most destructive wildfires in California history. The number of people drawn to the region over the past 30 years has steadily increased, but the fire caused an enormous housing shortage. This fire, known as the 2018 Camp Fire, resulted in the loss of 85 lives, nearly 19,000 structures, the burning of more than 150,000 acres over two weeks, and \$9 billion in insurance claims. The rebuild process is an integral part of this Housing Element to ensure that housing of various types and sizes is created for residents across all income levels, ages, and abilities to have a place to call home.

Per State law, the Housing Element has two main purposes:

1. To provide an assessment of both current and future housing needs and constraints in meeting these needs; and
2. To provide a strategy that establishes housing goals, policies, and programs.

The 2022-2030 Housing Element Update provides a roadmap for how to meet the Town’s growth and housing challenges, identifies what the existing housing conditions and community needs are, reiterates goals, and creates a plan for more housing. Since the last Housing Element update in 2014, dozens of statewide housing bills have passed, with goals ranging from addressing segregation, to design standards, and resiliency. This Housing Element will include goals, policies, and programs that guide the community to meet these new requirements and rebuild safely, fairly, and consistently with the Town’s character.

## 1. INTRODUCTION

Broad-based community participation is essential to preparing an implementable and locally meaningful housing policy and action program, especially in the context of rebuilding what was lost in the fire. The programs included in this document evolved through collaborative workshops with local residents and representatives of agencies that provide housing and other social service assistance to town, county, and regional residents, as well as analysis of local population characteristics, households, housing stock, and economic conditions.

## CONTENTS

Consistent with State law, this Housing Element consists of the following major components:

- **Housing Needs Assessment [Chapter 2].** The Housing Needs Assessment chapter 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 [Chapter 3].** The Constraints chapter 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 [Chapter 4].** The Resources chapter identifies resources available for the production and maintenance of housing, including an inventory of land suitable for residential development and discussion of federal, State, and local financial resources and programs available to address the Town's housing goals.
- **Effectiveness of the Previous Housing Element [Chapter 5].** The Effectiveness of the Previous Housing Element chapter 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 [Chapter 6].** This chapter identifies the Town's housing goals and provides policies and programs to address the Town's housing needs.
- **Community Participation [Chapter 7].** The Community Participation chapter describes how the Town engaged the public, including town residents, businesspeople, and interested parties, including housing and special needs advocates.

## RELATIONSHIP TO OTHER ELEMENTS

State law requires that "the general plan and elements and parts thereof comprise an integrated, internally consistent, and compatible statement of policies." The purpose of requiring internal consistency is to avoid policy conflict and provide a clear policy guide for the future maintenance, improvement, and development of housing in the town. All elements of the General Plan have been reviewed for consistency in coordination with this update to the Housing Element. In addition, the Town reviews the General Plan elements for consistency annually in order to prepare the General Plan annual report. Town staff conducts the consistency review which is reviewed by the Planning Commission and the Town Council prior to submitting the annual report to HCD and the Office of Planning and Research (OPR).

### PARADISE GENERAL PLAN UPDATE

The Town of Paradise's current General Plan was adopted in 1994 and last amended in 2008. The Town is preparing to undertake a General Plan update, and this Housing Element is the first Element that will be updated in conjunction with the update. It will be followed by the Safety Element. Elements are like chapters of the General Plan.



## GENERAL PLAN POLICIES

In accordance with the Government Code and various environmental laws, the General Plan sets forth policies related to safety, open space, conservation, and energy. These policies seek to protect and preserve important values of the community but tend to conflict with the ability to develop certain land for housing. Such conflicts can be considered a constraint. Some of the General Plan policies that could serve as a constraint to housing development are presented below.

**Safety Element:** Policy provisions in the General Plan minimize risks to life and property from various natural hazards. Policies SP-10 and SP-11, for example, prohibit structures within a potential floodway, and Policy SP-17 prohibits building on slopes in excess of 30 percent. These policies constrain development, but this constraint is necessary to protect the town's citizens.

**Open Space:** The General Plan includes a policy that seeks to minimize impacts to scenic areas. Policy OCEP-5 encourages locating new structures outside of scenic view corridors. This policy constrains development in scenic areas but is consistent with environmental standards throughout California.

**Conservation:** Several policies provide for the protection and conservation of resources that are important to the community. For instance, Policy OCEP-13 protects large trees of historic and/or cultural significance, and Policies OCEP-15 through OCEP-17 seek to preserve natural habitat areas, fisheries, and deer migration areas. Policy OCEP-21 protects the viewsheds along the Skyway, and Policies OCEP-24 and OCEP-26 both protect significantly important streams and riparian areas. Policy OCEP-32 protects significantly important agricultural and timber areas. These policies constrain development in numerous areas, but they are consistent with environmental standards throughout California.

**Energy:** The General Plan includes a policy that seeks to conserve energy. Policy OCEP-39 states that multi-family residential uses should be located near shopping areas, medical offices, and collector streets to promote pedestrian travel and the use of the bus system. This policy constrains development of multi-family units, but it is consistent with good planning practice and environmental standards throughout California.

## 1. INTRODUCTION

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## CHAPTER 2 | HOUSING NEEDS ASSESSMENT

To successfully plan for housing needs, the demographic and socioeconomic variables of the community must be assessed. This chapter discusses the components of housing needs, which include population characteristics, household characteristics, employment, and housing stock conditions.

Paradise is much different today than it was in 2014 (when the Housing Element was last updated). The 2018 Camp Fire is the primary driver of demographic change and the residents' current housing needs. According to the *Camp Fire Regional Economic Impact Analysis*, The Camp Fire destroyed an estimated 95 percent of the town's structures and between 2018 and 2020, the town's population dropped by approximately 21,600 residents, an 82 percent decline.

The timing of the fire and the subsequent decline in population make collection of demographic and socioeconomic data challenging. The three-year and five-year American Community Survey (ACS) data do not reflect impacts of the fire. Therefore, data from the US Census and ACS are supplemented by the Town of Paradise Local Census Survey 2021 conducted by the Rural Community Assistance Corporation (RCAC) in Spring and Summer 2021. Additional sources referenced include the California Department of Finance (DOF), Butte County Association of Governments (BCAG), the US Department of Housing and Urban Development (HUD), various Town documents, and other sources.

Unless otherwise specified, the data in this chapter is specific to the Town of Paradise. This document summarizes the Housing Needs Assessment. A full assessment can be found in the Appendix A.

### CAMP FIRE CONTEXT

In 2018, Paradise and some surrounding areas in Butte County faced one of the most destructive wildfires in California history, resulting in the loss of 85 lives, nearly 19,000 structures, the burning of more than 150,000 acres over two weeks, and \$9 billion in insurance claims. The number of people drawn to the region over the past 30 years had steadily increased year by year, but the fire caused an enormous housing shortage. The rebuild process is an integral part of this Housing Element to ensure that housing of various types and sizes is created for residents across all income levels, ages, and abilities to have a place to call home.

### SUMMARY OF KEY FACTS

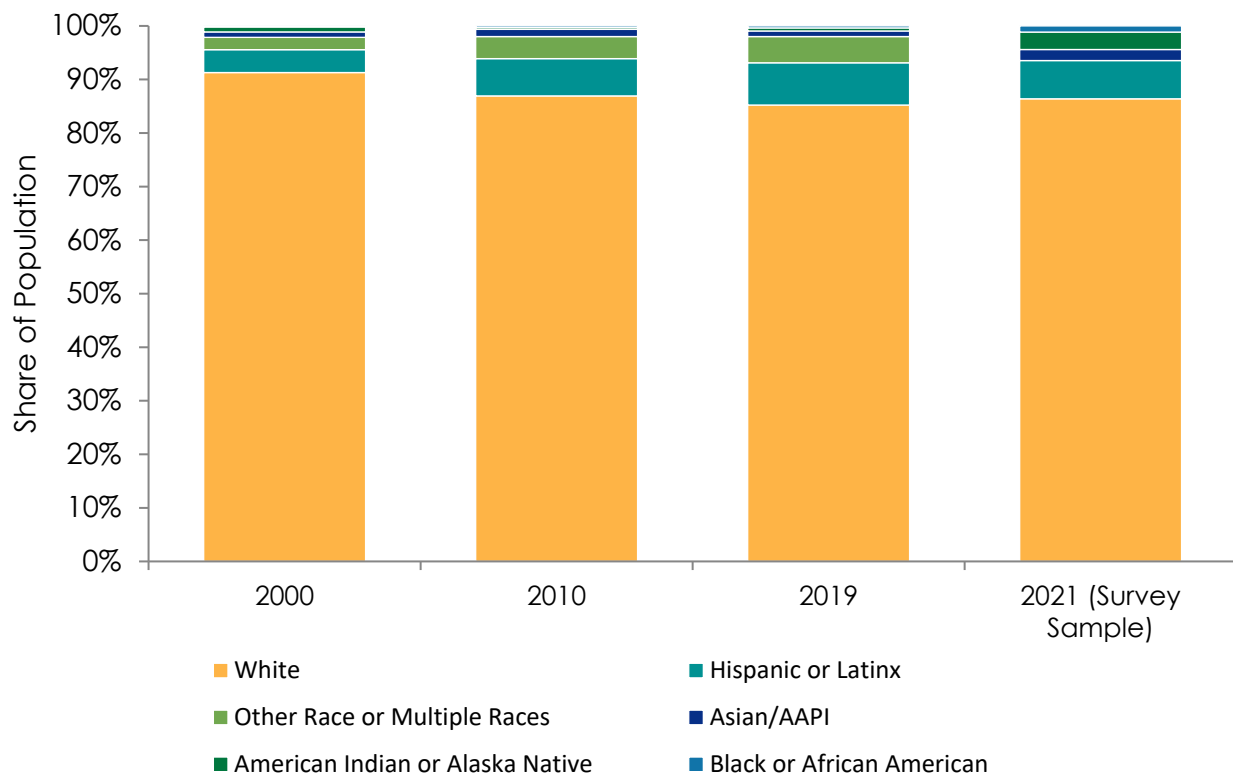
Appendix A provides a detailed analysis of housing needs. Key points from the report are below.

- **Population** – Generally, the population of Paradise has remained relatively constant, within a few hundred people, between 2000 and 2018. The Town was projected to reach a population of 29,547 by 2030, a growth rate of less than 1 percent per year, which is about half as much growth as was expected for the County. However, the 2018 Camp Fire led to a population decrease of approximately 21,600 residents, leaving the Town with only 4,631 residents.
- **Age** – Respondents of the Town of Paradise Local Census Survey imply that the percentage of the population aged over 65 has increased significantly since the Camp Fire, while the proportion of all other age groups have decreased.
- **Race/Ethnicity** – Since 2000, the percentage of residents in Paradise identifying as White has decreased but remains the vast majority. The percentage of residents of all other races and ethnicities has *increased*, estimated to be 14 percent compared to 9 percent in 2000. In absolute terms, the Hispanic or Latinx population increased the most, from 4 percent of the population in 2000 to an estimated 7 percent in 2021.
- **Employment** – Historically, the highest percentage of jobs in Paradise and Butte County have been in Health & Educational Services at 31 percent and 26 percent, respectively. Between 2002 and 2015, the number of jobs in Paradise increased by 17 percent, and then dropped again by 7 percent between 2015 and 2018. After the 2018 Camp Fire, we expect that many jobs, especially related to the hospital, were lost or moved elsewhere in the County.
- **Number of Homes** – Paradise’s housing stock in 2015 was made up of 69 percent single-family detached homes, 16 percent manufactured homes, and 9 percent multi-family homes with 2 to 4 units. Until the Camp Fire, growth in each category had remained consistent. The Camp Fire led to significant decreases in all housing stock, from 13,091 in 2018 to 1,720 in 2019. Multi-family homes with 2 to 4 units saw the least change and increased as a percentage of housing. In the beginning of 2020, the housing stock consisted of a 68 percent single-family detached homes (-1 percent), 22 percent multi-family homes with 2 to 4 units (up 13 percent from pre-Fire), 8 percent multi-family homes with five or more units (up 5 percent from pre-Fire), 2 percent single-family attached homes, and 1 percent manufactured homes on permanent foundations (which is the sharpest decline in percentage at -16 percent).
- **Home Prices** – Census Data reports that the largest proportion of homes in Paradise are valued between \$250,000 and \$500,000. Since the last housing element in 2014 the typical home value in Paradise according to Zillow has increased 33 percent from \$227,634 to \$303,128 as of December 2020.
- **Housing Type** – 87 percent of households in permanent “stick-built” homes are homeowners, while 90 percent of households in manufactured homes are homeowners, and a slightly lower 83 percent of those living in temporary housing structures are homeowners. This data is complicated by the fact that many households are waiting for their permanent homes to be rebuilt, so they’re living in temporary shelter but do own property in Paradise.
- **Displacement** – The meaning of displacement has a unique definition in Paradise due to the widespread displacement of residents caused by the 2018 Camp Fire, which displaced 13,314 households. Of those who moved census tracts, 38 percent (2,148 households) were senior-led households. According to a report written by Next 10 and UC Berkeley’s Center for Community Innovation, *Rebuilding for a Resilient Recovery: Planning in California’s Wildland Urban Interface*, low-income households represented 41 percent of households that relocated, compared to 50 percent of households that stayed, indicating that lower-income households were less likely to move.

## 2. HOUSING NEEDS ASSESSMENT

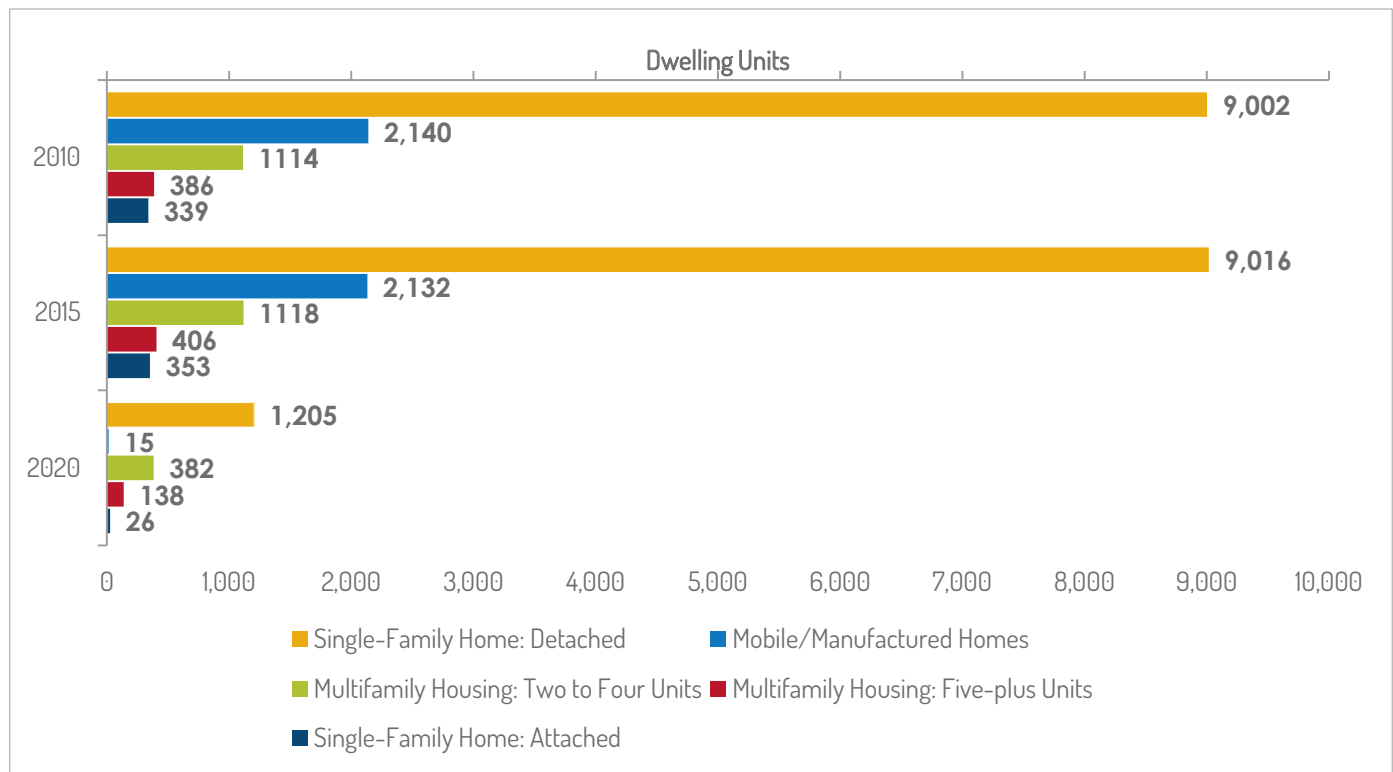


Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001; Town of Paradise Local Census Survey 2021.

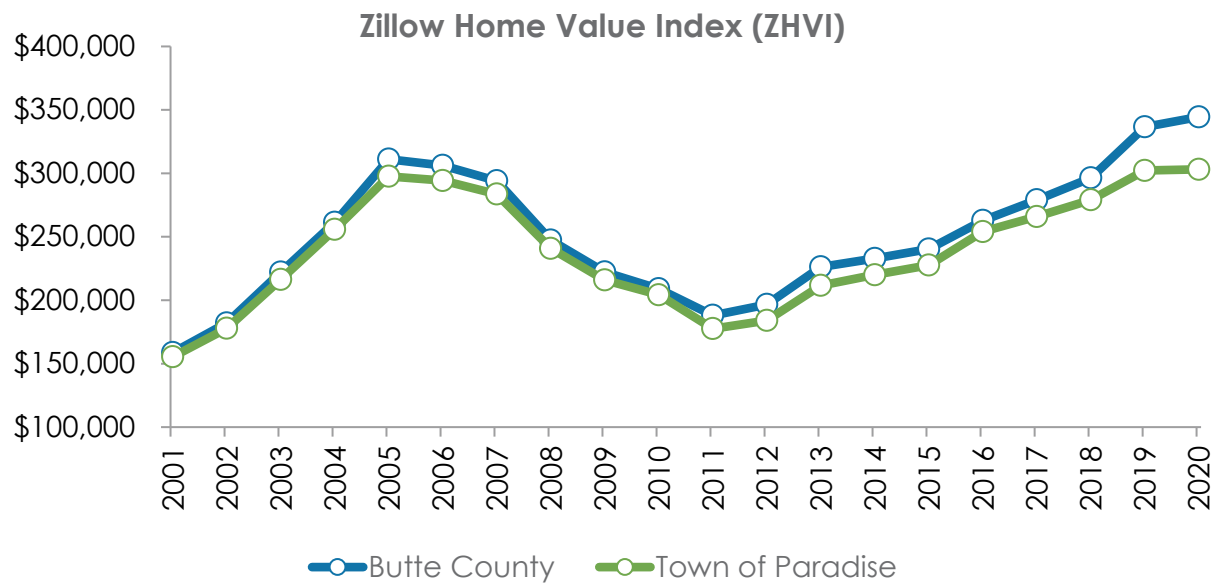


Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002; Town of Paradise Local Census Survey 2021.

## 2. HOUSING NEEDS ASSESSMENT



Source: California Department of Finance, E-5 series.



Source: Zillow, Zillow Home Value Index (ZHVI).

- **Overpayment** – 52 percent of renters spend 30 percent to 50 percent of their income on housing compared to 25 percent of those that own. Additionally, 22 percent of renters spend 50 percent or more of their income on housing, compared to 10 percent of owners who are severely cost-burdened (meaning they spend more than 30 percent of monthly income on housing costs). Of the Extremely Low-Income households, 61 percent are cost-burdened and 36 percent spend over half of their income on housing. For Moderate or Above Moderate income, just 4 percent are severely cost-burdened, and 82 percent with Moderate or Above Moderate income spend less than 30 percent of their income on housing.
- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Paradise, 18 percent of people have a disability of any kind. Additionally, 17 percent of households with five or more people are very low-income, earning less than 50 percent of the area median income (AMI). In Paradise, there are at least 93 persons with disabilities, 33 of which are under 18 and between 60 and 71 of which are adults over the age of 18.

## AFFIRMATIVELY FURTHERING FAIR HOUSING

In 2018, California legislators introduced Assembly Bill (AB) 686 to try to ameliorate issues brought about by historic patterns of segregation that have led to neighborhoods with concentrated poverty and poor housing stock, limited access to opportunity, unsafe environmental conditions, underfunded schools, dilapidated infrastructure, and other disproportionately experienced problems throughout the state. AB 686 defines Affirmatively Furthering Fair Housing as “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

Specifically, these meaningful actions must aim to accomplish the following:

- Address significant disparities in housing needs and in access to opportunity;
- Replace segregated living patterns with truly integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

AB 686 also creates new housing element requirements due to be revised starting in January of 2021, including (1) outreach to community stakeholders in the housing element public participation process, (2) an assessment of fair housing practices, (3) an analysis of the relationship between available sites and areas of high or low resources, and (4) concrete actions and programs to affirmatively further fair housing. California Government Code Section 65583 (10)(A)(ii) requires an analysis of areas of segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.

In Paradise, Census data that is normally used to identify fair housing issues is outdated. Census data were collected prior to the 2018 Camp Fire and do not reflect the on-the-ground reality that renters and homeowners are facing since the fire and its destruction throughout the Town. Instead, to examine fair housing issues for the required assessment of fair housing practices, we used the Town of Paradise 2021 Local Census data and interviews with representatives of impacted groups, such as those who lost their homes and developmentally disabled adults, which also addresses the first component of the new Housing Element requirements: outreach. As discussed in Chapter 7: Community Participation, in addition to the standard public hearing process, interviews were conducted with eight stakeholder groups in an effort to reach all segments of the community.

A full Affirmatively Furthering Fair Housing Report is included in Appendix B and summarized here.



## 2. HOUSING NEEDS ASSESSMENT

- There are no public housing buildings in Paradise post-fire and not very many households who utilize Housing Choice Vouchers, but those who are appear evenly spread throughout the Town and surrounding areas, despite some clustering in areas where multi-family units are more prevalent.
- Complaints about housing discrimination in the Town have not been an issue, but the Town is being proactive about adding fair housing programming and resources to its website and working with local organizations who provide these services.
- The Paradise Ridge was established as a permanent settlement during the gold rush era and has transformed over time from mining to subsistence farming, to logging and agriculture, to modest retail trade. Today, it is primarily a residential community. The discovery of gold led to a predominantly Anglo settlement, which remains the main demographic of the population that exists in the Town today.<sup>1</sup> However, according to observations from Town staff, the rebuilding process after the 2018 Camp Fire has led to the population becoming more diverse. It is important to ensure that enough housing will be available for those who are helping rebuild the Town.
- In the rebuilding completed to date, Town staff have reported that all new housing has been evenly dispersed in size and type. There are no single neighborhoods are areas of town where BIPOC populations are concentrated. As the town continues to rebuild, it is anticipated that multi-family buildings will continue to be located downtown near services and bus transit, especially with the proposed sewer that will allow denser projects in this area of town. This could lead to trends of continued diversity in this area.
- Paradise is primarily made up of a White, English-speaking population and therefore does not experience segregation in terms of race or languages spoken within the town. However, there have been slight increases in the non-White population in recent years before the fire and according to local town staff active in rebuilding. There is the potential for some economic segregation as Town staff have identified pockets of wealth on the eastern and western edges of town and the sewer project is intended to accommodate the majority of future multi-family housing. However, the market rate rents in Paradise are sometimes equivalent to low-income (80 percent AMI) rents and manufactured housing continues to be a source of affordable housing in Paradise that is dispersed throughout the town. As the town continues to rebuild and change, fair housing programs will work to facilitate greater integration.
- According to the California Tax Credit Allocation Committee (TCAC) Opportunity Area Map, the majority of Paradise is considered moderate or low resource areas. High resource areas, which are concentrated in the northeast portion of the Town, are areas with high index scores for a variety of educational, environmental, and economic indicators. Some of the indicators identified by TCAC include high levels of employment and close proximity to jobs, access to effective educational opportunities for both children and adults, low concentration of poverty, and low levels of environmental pollutants, among others. However, this data was collected prior to the 2018 Camp Fire and does not reflect the reality of the Town today.
- The Town's overall access to opportunity was very affected by the 2018 Camp Fire and the subsequent closure of some of the Town's major employers. The remoteness of Paradise from major employment centers and lack of effective transit are major factors keeping more of Paradise from being a high resource area before and after the Camp Fire. There do not appear to be disparities in the types of housing being rebuilt in various areas, other than the lack of rental housing generally. Due to the rural nature of the Town, a lack of sidewalks and public transportation

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<sup>1</sup> McDonald, Lois. (2000). *"This Paradise We Call Home."* Gold Nugget Museum.

also cause unique challenges for persons with disabilities.

- While there are no technically defined Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Butte County, TCAC identifies some areas in Chico and around the City of Oroville as areas experiencing high segregation and poverty. There are no such areas in Paradise, but some amount of poverty concentration is expected in the remaining affordable developments in the Town. There is no single neighborhood or area of town where people of color are concentrated.
- Seniors, low-income households, and renters were disproportionately affected and displaced by the Camp Fire, and that many people are eager to come back to Paradise and miss their home. This sentiment was expressed especially through interviews with the California Vocations Inc. (CVI), a non-profit organization dedicated to providing residential and vocational support to developmentally disabled adults. CVI representatives shared that they often hear “I want to go back home.” However, there are few units to come back to after the fire’s destruction. CVI clients do not understand this. In addition to the lack of housing, the presence of services, especially medical services, is one issue impacting if or when past residents with a developmental disability may return.
- As discussed in the Paradise Safety Element, Paradise is at very high risk for future wildfire. Research has shown that renters, and especially low-income renters, are often disproportionately exposed to environmental hazards and housing tenure is a decisive factor in a society’s vulnerability to disaster.<sup>2</sup> Housing tenure is such an important factor in disaster recovery because renters do not control the housing units in which they live. Renters are more likely to be displaced post-disaster because they do not determine if or when their housing unit will be rebuilt, there are fewer financial resources to rebuild rental housing than for homeowners, and renters are more likely to live in multi-family buildings that can take longer to rebuild post-disaster than a single-family home. Furthermore, renters do not control vegetation management and other fire risk reduction measures, or the ability to add resilience investments on the property where they live. Finally, rental prices increase as rental housing supply decrease.
- Nearly all rental housing was destroyed in the fire. According to data from Urban Footprint, approximately 75 percent of parcels developed with multi-family housing and approximately 88 percent of all multi-family dwelling units were destroyed in the fire. The destruction included some of the Town’s only deed-restricted affordable housing projects. One affordable project, Paradise Gardens III, is prioritized to be rebuilt and is expected to be completed in the next few years and another, Paradise Community Village, is actively under reconstruction. The Cypress Acres Convalescent Hospital, however, is the third project in the town with federal assistance that was destroyed, and it is not anticipated to rebuild. The Town has issued a certificate of occupancy for 242 units in multi-family buildings since the Camp Fire, all of which are rental housing units.<sup>3</sup> These 242 units represent approximately 32 percent of the approximately 750 multi-family units lost in the fire, according to data from Urban Footprint.
- In addition to the availability of housing that is affordable, the lower incomes of the residents of Paradise (\$49,270), when compared to the average Californian (\$71,228), have implications regarding where those displaced by the Camp Fire will be able

<sup>2</sup> Lee & Van Zandt, 2018. Social Vulnerability to Disasters: A Review of the Evidence.

<sup>3</sup> Hartman, Susan, Community Development Director, Town of Paradise. 2021. Personal communication with Urban

Planning Partners, October 26. Updated based on permit counts as of December 29, 2021.

## 2. HOUSING NEEDS ASSESSMENT

to relocate.<sup>4</sup> If the cost of rebuilding is too high, former Paradise residents may permanently move out of the state in search of cheaper housing options.

Information on access to job opportunities, overcrowding, displacement, and other disproportionate housing needs are summarized above and found in detail in Appendix A: Housing Needs.

Due to all the forces and findings described above, it is important that the Town of Paradise prioritize rebuilding rental housing and providing financial assistance for renters to return to the community. Chapter 6: Housing Element Goals, Policies and Programs describes the Town's goals and efforts to rebuild, conserve existing stock and affordability, and provide adequate housing for all persons. This 2022-2030's Housing Element goals, in tandem with the Safety Element, work to affirmatively further fair housing in Paradise. Specifically, the policies listed below seek to foster an inclusive community, further housing choice, and address racial and economic disparities by increasing the availability and diversity of housing, prioritizing multi-family housing in areas near services, enforcing fair housing laws, and establishing programs to house special needs groups (e.g., seniors, individuals with disabilities, large families, the unhoused).

- HP-1. The Town will encourage a full range of housing types, including both lower- and higher-density housing, at rents and sales prices suitable for a range of household incomes, including extremely low, very low, low, and moderate.
- HP-2. The General Plan will identify lands most suitable for multi-family development and safeguard this type of use on these sites.
- HP-6. The Town will encourage the production and availability of new affordable housing through a variety of measures including the density bonus

program and second unit development, providing incentives such as expedited processing, relaxed zoning restrictions where appropriate, support for funding applications, and Community Development Block Grant (CDBG) funds when available.

- HP-8. The Town will encourage providers to give priority to the very low- and low-income housing developments pursuant to Government Code Section 65589.7. The Town will also provide a copy of the 2022–2030 Housing Element to local water providers upon its adoption. Should a public sewer system, such as an off-site clustered system or alternative wastewater treatment system, be developed and made available, the Town will provide its operator with a copy of the Housing Element and encourage the operator to give priority to very low- and low-income housing developments pursuant to Government Code Section 65589.7.
- HP-9. The Town will pursue county, State, and federal programs and funding sources that provide housing opportunities for low- and moderate-income households.
- HP-10. In accordance with applicable federal and State laws, the Town will promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.
- HP-12. The Town will pursue the development of tiny home villages to be used as affordable housing.
- HP-15. The Town will design and implement housing programs that maximize access to the market, such as housing rehabilitation, including replacement housing, and down payment assistance for first-time homebuyers.
- HP-17. New housing and rehabilitated housing will be constructed in accordance with design standards and Town-adopted Building Code requirements that will ensure the safety and integrity of each housing unit.

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<sup>4</sup> Perry, Noel et al. (2021). "Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface." *Next10 and Center for Community Innovation. UC Berkeley.*

Retrieved from: <https://www.next10.org/sites/default/files/2021-06/Next10-Rebuilding-Resilient.pdf>.



- HP-18. The Town will continue to provide a revolving loan fund for housing rehabilitation and down payment assistance programs.
- HP-19. The Town will support the continuance and expansion of the Housing Authority's rental assistance program.
- HP-20. The Town will regulate conversion of housing stock that, by its nature, is affordable to residents of modest means, such as apartments and mobile homes, to either market-rate, for-sale, or nonresidential uses, by requiring such conversions to provide a housing relocation plan and replacement assistance to residents who would be displaced by the conversion and by requiring that the Town make a finding of clear public benefit.
- HP-23. The Town will consider increased building and landscaping requirements for fire resiliency and add supportive programs to assist households with vegetation management. The Town will consider providing grants or no-interest loans to low-income households for home hardening to ensure the most vulnerable households are not left behind.
- HP-28. The Town will support post-disaster funding for multi-family and affordable housing development.
- HP-29. The Town will continue to encourage the development and expansion of housing opportunities for the elderly and the disabled through techniques such as smaller unit sizes, a reduction in parking space requirements, common dining facilities, and fewer but adequate amenities.
- HP-30. The Town will encourage development of suitable sites with rest homes and care facilities for the elderly and the disabled and developmentally disabled and will encourage senior citizen housing in the Central Commercial area of Paradise.
- HP-31. The Town will facilitate housing opportunities for the homeless by accommodating transitional and supportive housing and allowing emergency, transitional, and supportive housing consistent with state law.
- HP-32. The Town will encourage development housing types and programs for senior citizens, the disabled, developmentally disabled, large families, and other groups identified as having special housing needs.
- HP-33. The Town will continue to require the first floors of multi-family developments to accommodate access and use by the elderly and the disabled
- HP-34. The Town will continue to assess the Zoning Ordinance, Municipal Code, and Town procedures for constraints and address changes in state law, particularly regarding housing for special needs groups, including seniors, the disabled, developmentally disabled, large families, farmworkers, and the homeless.
- HP-35. The Town will encourage energy efficiency and energy conservation in residential development to ensure sustainable practices and to reduce long-term housing costs.

## REGIONAL HOUSING NEEDS ALLOCATION

The Regional Housing Needs Allocation (RHNA) process is mandated by California law and requires all local jurisdictions to plan for their 'fair share' of housing units at all affordability levels. This Regional Housing Needs Plan (RHNP) is part of the Butte County Association of Governments' (BCAG) 6th Cycle RHNA, sometimes referred to as the "2020 update of the BCAG RHNP," covering the period from December 31, 2021 to June 15, 2030 and assigning housing need allocations to the Cities of Biggs, Chico, Gridley, Oroville, the Town of Paradise, and unincorporated Butte County.

State Housing Element Law requires BCAG to develop a methodology that calculates the number of housing units assigned to each city/town and the unincorporated portion of the county and distributes each jurisdiction's housing unit allocation among four affordability levels.

The fire rebuild allocation is unique to the region during the 6th Cycle RHNA process and stems from the November 2018 Camp Fire, which destroyed over

## 2. HOUSING NEEDS ASSESSMENT

14,500 homes in the Town of Paradise and unincorporated Butte County.

In December 2020, The Town of Paradise received the following allocation of housing needs, broken down by income category as shown in Table 2-1.

**TABLE 2-1: FINAL TOWN OF PARADISE RHNA BY INCOME TIER**

| <b>Income Group</b>                                | <b>Town of<br/>Paradise<br/>Units</b> | <b>Butte<br/>County<br/>Units</b> | <b>Town of<br/>Paradise<br/>Percent</b> |
|--|---------------------------------------|-----------------------------------|---|
| Very Low Income<br>(<50 percent of AMI)            | 383                                   | 2,081                             | 5.3%                                    |
| Low Income<br>(50 percent-80 percent of AMI)       | 374                                   | 1,290                             | 5.2%                                    |
| Moderate Income<br>(80 percent-120 percent of AMI) | 1,319                                 | 3,202                             | 18.4%                                   |
| Above Moderate Income<br>(>120 percent of AMI)     | 5,103                                 | 8,933                             | 71.1%                                   |
| <b>Total</b>                                       | <b>7,179</b>                          | <b>15,506</b>                     | <b>100.0%</b>                           |

AMI = Area Median Income. Butte County has an AMI of \$70,700.

Source: Butte County Association of Governments Regional Housing Needs Plan, December 2020.



## CHAPTER 3 | CONSTRAINTS

New housing development can be constrained by economic forces in the private market as well as regulations and policies imposed by public agencies. These constraints can limit the production of housing and/or increase its cost and can also affect the maintenance and/or improvement of existing housing. Governmental and non-governmental constraints that can affect the housing market and stock in Paradise are discussed below. The Housing Plan (Chapter 6) will identify ways, where feasible, to reduce or overcome constraints to the maintenance, improvement, and development of housing for all income levels.

### GOVERNMENTAL CONSTRAINTS

Governmental regulations, while intentionally regulating the quality and safety of development in the community, can also unintentionally increase the cost of development and thus the cost of housing. These governmental constraints include land use controls, such as policies, standards, codes, requirements, development fees, processing procedures, site improvement requirements, and other exactions required of developers.

Land use controls may limit the amount or density of development, thus increasing the cost per unit. They may also require improvements and/or off-site mitigation that increase the cost of development. Processing procedures, including review by multiple agencies and permitting requirements, may delay the approval process and increase the cost of development.

#### FEDERAL AND STATE

Federal and state programs and agencies play a role in the imposition of non-local governmental constraints. Federal and state requirements are generally beyond the influence of local government and therefore cannot be effectively addressed in this document.

#### California Environmental Quality Act

The California Environmental Quality Act (CEQA) was developed to protect the quality of the environment and health and safety of persons from adverse environmental effects. Under CEQA, discretionary projects are required to be reviewed to determine if there is potential for the project to cause a significant adverse effect on the environment. Depending on the type of project and its potential effects, technical transportation, noise, air quality, biological resources, and geotechnical

### 3. CONSTRAINTS

reports may be needed. If potential adverse effects can be mitigated, a mitigated negative declaration is required. If potentially adverse effects cannot be mitigated, an environmental impact report is required. These documents have mandated content requirements and public review times. Preparation of CEQA documents can be costly and, despite maximum time limits set forth in the Public Resources Code, can extend the processing time of a project by a year or longer.

#### Prevailing Wage Laws

Public works projects and affordable housing financed through the use of public funds are required to pay prevailing wages, which create a significant cost impact on the construction or rehabilitation of affordable housing units for low- or moderate-income persons and the infrastructure to support such housing. The rehabilitation of certain qualifying affordable housing units for low- or moderate-income persons is exempted from this requirement. Senate Bill (SB) 972 provided exemptions from prevailing wage requirements for the construction or rehabilitation of privately owned residential projects.

### LOCAL

#### Land Use Controls

Land use controls are minimum standards included in the General Plan and implemented through the Zoning and Subdivision Ordinances. General Plan land use designations are a means of ensuring that the land uses in the community are properly situated in relation to one another and providing adequate space for each type of development. Zoning regulations are designed to implement the intentions of the General Plan land use designations. They also control such features as the height and bulk of buildings, lot area, yard setbacks, population density, and building use. If zoning standards are significantly more rigid than private sector design standards and do not allow sufficient land use flexibility, development costs could increase, and housing production may decrease.

The Paradise General Plan provides a range of residential building types and densities in various areas of Paradise. Densities range from a low of 1 unit or less per acre in the Agricultural-Residential designation to 15 units per acre in the Multi-Family designation.

The Zoning Ordinance identifies 10 residential districts (Agricultural Residential, Rural Residential, Town Residential, and Multi-Family Residential and their respective subzones) and six other zones (Agricultural, Neighborhood Commercial, Central Business, Community Commercial, Community Facilities, and Community Services) that allow residential development.

Most zones establish maximum residential densities but do not establish minimum residential densities. The density maximums within residential zones (and commercial zones that allow residential uses) are in place due to the existing septic capacity, which is the primary limiting factor for how many units per acre can be built in Paradise.

In addition to maximum residential densities, all zones include height limits of 35 feet. When zoning standards include height limits, consideration is given to how the allowable density and the height will work together to meet the zoning requirements and General Plan intent regarding residential densities. In almost all instances, it would be possible to construct the maximum number of units permitted by the maximum residential density within the height limit of the zones. It is possible that zoning regulations including setbacks, maximum floor area ratio, design requirements, common and private open space requirements, parking requirements, and building code requirements may interact in ways that constrain residential densities. However, an examination of recent development trends shows that projects have not been hampered by zoning standards. Based on building permit data, recent multi-family projects have an average yield of 66 percent of the allowed capacity, indicating that maximum densities have not constrained projects. The Town's zoning accommodates a diversity of housing types to meet the varying needs of Town residents. In addition to the residential zones, many types of residential uses are

also permitted in commercial zones and some industrial zones. Given the Town's recent development activity and variety of housing being built, land use controls are not considered a constraint to housing production.

Appendix C provides a description of the Town's General Plan designations and zoning districts. Table 3-1 summarizes the uses allowed under each zone. Development standards for each district are identified in Table 3-2.

### Parking Requirements

Chapter 17.38 of the Zoning Ordinance establishes parking standards for type of use (see Table 3-3), which have been interpreted as to how they apply to each zone in Table 3-4. The Town's parking requirements for single-family homes are two parking spaces per unit. Secondary units require one parking space per dwelling or bedroom, whichever is less. The parking requirements for multi-family residential units vary based on the size of the unit. For instance, units that are less than 700 square feet require 1.2 spaces per unit, while units of 700–1,200 square feet require 1.5 spaces, and units of 1,200 square feet or more require 1.8 spaces.

The Zoning Ordinance allows the Planning Director to reduce parking by up to 20 percent if the project is found to not need the number of parking spaces that would be otherwise required, the proposed number of spaces meets the demand, and the reduced parking standards will not be detrimental to the public health, safety, or general welfare. There is not a reduced parking standard expressly established for affordable housing projects, but a parking reduction could be requested through the Town's affordable housing incentives program. The Zoning Ordinance does have a reduced parking standard for senior housing (1.2 spaces/unit). Program HI-3 of this Housing Element includes additional incentives for affordable housing, including parking reductions.

Parking standards can be a constraint to housing development given the money and land area that they require. According to data from Strategic Economics,<sup>1</sup> surface parking is estimated to cost \$5,000 per space. However, in a town like Paradise that is more rural in character and not well-served by transit, many residents need a car for personal transportation.

### On/Off-Site Improvements

The Town requires street improvements, right-of-way dedication, and landscaping improvements in certain situations. The Town's on- and off-site improvement standards establish lot configurations that are in conformance with General Plan goals and zoning code requirements, and provide for public utility easements. In addition, these regulations set engineering and design standards for drainage facilities, fire hydrants, utilities, and such other improvements ordinarily located in and appurtenant to the use of a public street or private road. These improvements are necessary for public safety and functionality of the street system. The required improvements are laid out below in Table 3-5. As shown below, rebuilds are not required to provide street improvements or right-of-way dedications unless they are expanding the previous building's footprint by 750 sf or more. New multi-family projects are required to provide street improvements, right-of-way dedication, and landscaping when abutting a Town-maintained road. The Town anticipates multi-family development being concentrated along Clark Road and Skyway in the downtown core within the planned sewer service area and where evacuation access is least constrained. The roads in this area are primarily public streets and so future development could be dampened by required improvements. Program HI-4 in Chapter 6 includes a program to charge commercial impact fee rates for mixed-use projects or to allow shared parked by-right in order to alleviate governmental constraints to multi-family housing in the downtown area. Program HI-1 allows for the deferral of frontage improvements to also remove barriers for special needs housing.

<sup>1</sup> Strategic Economics, 2021. Personal communication with Urban Planning Partners, August.



### 3. CONSTRAINTS

TABLE 3-1: USES ALLOWED BY ZONING DISTRICT

| Zoning District                           | Density (units/ac) | Single-Family | Two-Family | Multiple Family | Secondary Dwelling | Mobile Home | Group Residential | Community Care Facility | Community Care Facility, Limited | Day Care One, Large Family | Day Care One, Small Family | Emergency Shelters | Transitional/ Supportive Housing | SROs/ Group Residential | Agricultural Employee Housing, Limited |
|---|--------------------|---------------|------------|-----------------|--------------------|-------------|-------------------|-------------------------|----------------------------------|----------------------------|----------------------------|--------------------|----------------------------------|-------------------------|--|
| Residential Districts                     |                    |               |            |                 |                    |             |                   |                         |                                  |                            |                            |                    |                                  |                         |  |
| AR-1                                      | 1                  | ✓             | UP         | NO              | AP                 | ✓           | NO                | UP                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | NO                      | ✓                                      |
| AR-3                                      | 0.33               | ✓             | UP         | NO              | AP                 | ✓           | NO                | UP                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | NO                      | ✓                                      |
| AR-5                                      | 0.2                | ✓             | UP         | NO              | AP                 | ✓           | NO                | UP                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | NO                      | ✓                                      |
| RR-1                                      | 1                  | ✓             | S          | NO              | AP                 | ✓           | UP                | UP                      | ✓                                | S                          | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| RR-2/3                                    | 1.5                | ✓             | S          | NO              | AP                 | ✓           | UP                | UP                      | ✓                                | S                          | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| RR-1/2                                    | 2                  | ✓             | S          | NO              | AP                 | ✓           | UP                | NO                      | ✓                                | S                          | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| TR-1                                      | 1                  | ✓             | UP         | NO              | AP                 | ✓           | UP                | NO                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| TR-1/2                                    | 2                  | ✓             | ✓          | NO              | AP                 | ✓           | UP                | NO                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| TR-1/3                                    | 3                  | ✓             | ✓          | NO              | AP                 | ✓           | UP                | NO                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | UP                      | ✓                                      |
| M-F                                       | 15                 | ✓             | ✓          | AP              | ✓                  | ✓           | S                 | UP                      | ✓                                | AP                         | ✓                          | NO                 | NO                               | S                       | ✓                                      |
| Other Districts Allowing Residential Uses |                    |               |            |                 |                    |             |                   |                         |                                  |                            |                            |                    |                                  |                         |  |
| AG-10                                     | 0.1                | ✓             | NO         | NO              | ✓                  | ✓           | NO                | NO                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | NO                      | ✓                                      |
| AG-20                                     | 0.05               | ✓             | NO         | NO              | ✓                  | ✓           | NO                | NO                      | ✓                                | NO                         | ✓                          | NO                 | NO                               | NO                      | ✓                                      |
| N-C                                       | 8-14.52            | S             | NO         | NO              | NO                 | ✓           | NO                | UP                      | NO                               | UP                         | NO                         | NO                 | NO                               | NO                      | S                                      |
| C-B                                       | 8-14.52            | AP            | S          | S               | NO                 | ✓           | NO                | NO                      | NO                               | UP                         | NO                         | NO                 | NO                               | NO                      | AP                                     |
| C-C                                       | 8-14.52            | NO            | S          | S               | NO                 | ✓           | S                 | UP                      | NO                               | AP                         | NO                         | UP                 | NO                               | S                       | NO                                     |
| C-F                                       | 15                 | ✓             | NO         | NO              | ✓                  | ✓           | NO                | UP                      | ✓                                | AP                         | NO                         | AP                 | NO                               | NO                      | ✓                                      |
| C-S                                       | 15                 | ✓             | AP         | S               | ✓                  | ✓           | S                 | S                       | ✓                                | AP                         | ✓                          | ✓                  | NO                               | S                       | ✓                                      |

Notes: NO = Not Allowed  
 UP = Use Permit  
 S = Site Plan Review Permit  
 ✓ = Allowed  
 AP = Administrative Permit  
 PSC = Permitted (Standards and Conditions)

Program HI-15 is proposed to allow transitional and supportive housing in all zones allowing residential uses in the same way other residential uses are allowed in those zones.

Source: Town of Paradise Zoning Ordinance, 2014.

TABLE 3-2: DEVELOPMENT STANDARDS BY ZONING DISTRICT

| Zoning District                           | Minimum Site Area (ac)                  | Minimum Site Width (ft) | Front Yard Setback from Centerline (ft) |    | Side Yard Setback (ft) | Rear Yard Setback (ft) | Maximum Height | Off-Street Parking per Unit | Maximum Building Coverage (%) | Maximum Floor Area Ratio |
|---|---|-------------------------|---|----|------------------------|------------------------|----------------|-----------------------------|-------------------------------|--------------------------|
|   |   | Public Street           | Private Street                          |    |                        |                        |                |                             |                               |                          |
| Residential Districts                     |   |                         |   |    |                        |                        |                |                             |                               |                          |
| AR-1                                      | 1                                       | 130                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | none                          | none                     |
| AR-3                                      | 3                                       | 150                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | none                          | none                     |
| AR-5                                      | 5                                       | 150                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | none                          | none                     |
| RR-1                                      | 1                                       | 130                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | 20                            | none                     |
| RR-2/3                                    | 0.66                                    | 95                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 20                            | none                     |
| RR-1/2                                    | 0.5                                     | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 25                            | none                     |
| TR-1                                      | 1                                       | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 25                            | none                     |
| TR-1/2                                    | 0.5                                     | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 25                            | none                     |
| TR-1/3                                    | 0.33                                    | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 30                            | none                     |
| M-F                                       | 0.069 - 0.1                             | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 1.2–1.8                     | 35                            | 0.5 to 1                 |
| Other Districts Allowing Residential Uses |   |                         |   |    |                        |                        |                |                             |                               |                          |
| AG-10                                     | 10                                      | 150                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | none                          |                          |
| AG-20                                     | 20                                      | 200                     | 50                                      | 30 | 10                     | 10                     | 35             | 2-3                         | none                          |                          |
| N-C                                       | 0.1                                     | 65                      | 50                                      | 30 | 5                      | 5                      | 35             | 2-3                         | 50                            |                          |
| C-B                                       | 0.067 - 0.1                             | 55                      | 40                                      | 25 | 0                      | 0                      | 35             | 1.2–1.8                     | 60                            | 0.75 to 1                |
| C-C                                       | 0.1                                     | 65                      | 50                                      | 30 | 0                      | 0                      | 35             | 1.2–1.8                     | 50                            | 0.5 to 1                 |
| C-F                                       | 0.5 with densities up to 15 units/acre  | none                    | 50                                      | 30 | 10                     | 10                     | 35             | 1.2–1.8                     | 50                            | none                     |
| C-S                                       | 0.5 with densities up to 15 units/ acre | none                    | 50                                      | 30 | 10                     | 10                     | 35             | 1.2-1.8                     | 50                            | none                     |

Note: Parking requirements are driven by the size and type of dwellings. Mobile homes, single-family homes, and two-family dwellings are required to have two spaces/dwelling while multi-family dwellings have a range of requirements depending on the unit size. Fewer parking spaces are required for senior housing and group residential uses. See Tables 3-3 and 3-4. The parking ratios in the table above reflect the housing types most likely to be developed in each zone.

Source: Town of Paradise Zoning Ordinance, 2013.

### 3. CONSTRAINTS

**TABLE 3-3: PARKING REQUIREMENTS BY FACILITY**

| Facility                                     | Parking Requirement   |
|--|---|
| Community care facility                      | 2 per dwelling, plus 1 per 4 persons cared for at capacity, plus 1 per employee at maximum shift                              |
| Family day care home (small or large family) | No requirement  |
| Convalescent service                         | 1 per 2.5 beds plus 1 per employee during maximum employee shift  |
| Secondary dwelling                           | 1 per dwelling  |
| Single-family, two-family                    | 2 per dwelling  |
| Group residential                            | 0.5 per sleeping unit   |
| Senior housing                               | 1.2 per dwelling  |
| Multiple-family dwelling                     | Less than 700 square feet – 1.2 per unit; 700 to 1,200 square feet – 1.5 per unit; more than 1,200 square feet – 1.8 per unit |

Note: Family day care homes do not have a parking requirement beyond the 2 spaces/dwelling required for single-family homes. The family day care home facility allows for care of up to 14 children in the provider's home.

Source: Town of Paradise Zoning Ordinance (17.38.1000), 2021.

**TABLE 3-4: PARKING REQUIREMENTS BY ZONING DISTRICT**

| Zoning District                                  | Off-Street Parking per Unit |
|--|-----------------------------|
| <b>Residential Districts</b>                     |                             |
| AR-1   | 2–3                         |
| AR-3   | 2–3                         |
| AR-5 RR-1 RR-2/3 RR-1/2 TR-1                     | 2–3                         |
| TR-1/2 TR-1/3 M-F                                | 2–3 or 1.2–1.8              |
| <b>Other Districts Allowing Residential Uses</b> |                             |
| AG-10 AG-20 N-C                                  | 2–3                         |
| C-B  | 2–3                         |
| C-C  | 1.2–1.8                     |
| C-F  | 1.2–1.8                     |
| C-S  | 1.2–1.8                     |

Source: Town of Paradise, 2021.

**TABLE 3-5: REQUIRED ON- AND OFF-SITE IMPROVEMENTS**

| Improvements   | Multi-Family Residences  |   | Single-Family Residences  |   |
|--|--|---|---|---|
|  | Rebuild  | New   | Rebuild   | New   |
| <b>Street Improvements:</b> PMC 12.20.100 (pavement, curbs, gutters, sidewalks or pathways, driveways, drainage facilities, fire hydrants, utilities and such other improvements ordinarily located in and appurtenant to the use of a public street or private road). | NO, unless Rebuild is increasing conditioned square footage by 750 square feet or greater, and the parcel is abutting a Town-maintained road per PMC Section 12.20.050 exemptions. | YES, if New Build is located on a parcel abutting a Town-maintained road per PMC Section 12.20.040.   | Only a driveway encroachment if Rebuild is increasing conditioned square footage by 750 square feet or greater, and the parcel is abutting a Town-maintained road per PMC Section 12.20.050 exemptions. | Only a driveway encroachment if New Build is located on a parcel abutting a Town-maintained road per PMC Section 12.20.040. |
| <b>Right-of-Way Dedication:</b> PMC 12.20.040  | NO, unless Rebuild is increasing conditioned square footage by 750 square feet or greater and the parcel is abutting a Town-maintained road per PMC Section 12.20.050 exemptions   | YES, if New Build is located on a parcel abutting a Town-maintained road per PMC Section 12.20.040  | NO, unless Rebuild is increasing conditioned square footage by 750 square feet or greater, and the parcel is abutting a Town-maintained road per PMC Section 12.20.050 exemptions                       | YES, if New Build is located on a parcel abutting a Town-maintained road per PMC Section 12.20.040                          |
| <b>Landscape:</b> PMC 15.36.020  | YES, if replacing damaged landscaping or expanding the landscaped areas.   | YES, applies to all development projects proposed to be established within the town requiring formal review and approval by the planning commission | NO  | NO  |

Source: Town of Paradise, 2022.



The Town's on- and off-site improvement standards are typical of other similar size communities in California, and do not present an undue burden on developers. Because residential development cannot take place without the addition of adequate infrastructure, site improvement requirements are considered a regular component of housing development and are not considered a constraint to development.

### **Affordable Housing and Density Bonus**

Zoning Ordinance Chapter 17.44 includes provisions for affordable housing incentives and residential density bonuses. The purpose of providing a housing density bonus or incentives is to contribute to the economic feasibility of affordable housing in housing developments proposed in the town. When a developer proposes to enter into an agreement to construct affordable units pursuant to Government Code Section 65915, the developer is eligible for a housing density bonus or incentives if the housing development consists of five or more units.

The developer may specify the housing density bonus or incentives requested; however, the Town may agree to provide a housing density bonus or incentives other than those requested, as long as such housing density bonus or incentives meet the requirement set forth in Government Code Section 65915 and such action is determined to be consistent with the Housing Element of the Paradise General Plan. Prior to Town action on an agreement providing housing density bonus or incentives, the planning commission must consider the agreement and make a recommendation to the town council.

### **Subdivision Ordinance**

The Subdivision Ordinance regulates the subdivision of land and real property in the town for the purposes of sale, lease, or financing in all instances except those which are exempt under the provisions of the Subdivision Map Act of the State of California as set forth in Title 7 of the Government Code. The ordinance provides for regulation and control of design and improvement of subdivisions to control growth, protect

public health and safety, conserve resources, and require on- and off-site improvements to be installed in proper condition.

Requirements for street right-of-way dedication and street improvements can add to the cost of housing. The Subdivision Ordinance does, however, exempt reconstruction and minor expansion of less than 750 square feet from these requirements (see Table 3-5). There are over 6,200 sites that were previously developed with single-family homes that were destroyed in the Camp Fire. Given that these will comprise the vast majority of the new housing units in the 2022-2030 Planning Period and will be exempt from requirements for right-of-way dedication and street improvement requirements, these requirements will not be a significant impediment to housing production. As mentioned above, Programs HI-1 and HI-4 provide incentives to facilitate the development of multi-family housing since these projects more often require onsite improvements.

### **Annexations**

The Butte County Local Agency Formation Commission (LAFCo) regulates the boundary changes proposed by public agencies or individuals. LAFCo does not have the power to initiate boundary changes on its own, except for proposals involving the dissolution or consolidation of special districts and the merging of subsidiary districts. Their authority includes both sphere of influence (SOI) amendments and annexations.

LAFCo's efforts are directed toward seeing that services are provided efficiently and economically while ensuring that agricultural and open-space lands are protected. LAFCo must conduct service reviews to evaluate the provision of municipal services with respect to nine areas: (1) infrastructure needs or deficiencies; (2) growth and population projections for the affected area; (3) financing constraints and opportunities; (4) cost avoidance opportunities; (5) opportunities for rate restructuring; (6) opportunities for shared facilities; (7) government structure options, including advantages and disadvantages for consolidation or reorganization of service providers;

### 3. CONSTRAINTS

(8) evaluation of management efficiencies; and (9) local accountability and governance.

While LAFCo serves an important role in local land use planning and the provision of services, SOI and annexation approvals are considered a governmental constraint to housing development because of the lengthy time period and service review requirements.

#### Other

The Town does not have a local inclusionary housing requirement or other relevant ordinances related to affordable housing. However, a final local requirement to note is the Town's wildland building code. Based on the town's climatic, topographic, and geologic conditions and dense vegetation, the entirety of the town has been identified as a very high fire hazard severity zone (VHFHSZ) pursuant to Government Code Sections 51178.5 and 51179. The Town has adopted local amendments to its building code, including requirements for automatic fire sprinkler systems, fire-safe roofing materials, fire resistant outbuildings, and non-combustible gutters. The more stringent building code requirements required by the Town create additional regulations and costs for property owners who want to develop housing in Paradise. However, these regulations are consistent with State policy and have been found to be "reasonably necessary" to mitigate potentially hazardous conditions related to wildfire spread, fire protection, and the delivery of emergency services, pursuant to Chapter 4 of the California Building Standards Code.

In addition to the Town's local building code amendments, development in Paradise is subject to California's wildland building codes (CBC Chapter 7A) for the design and construction of new buildings and the requirements for defensible space clearance in Government Code Section 51182 and Assembly Bill (AB) 38.

## ZONING FOR A VARIETY OF HOUSING TYPES

In addition to traditional housing typologies, the Zoning Ordinance includes housing typologies that tend to be more affordable and/or accommodate special housing needs. These housing types are described below. See Appendix C for a full list of residential uses allowed in the Zoning Ordinance.

### MOBILE/MANUFACTURED HOMES

A mobile/manufactured home is a transportable factory-built housing unit designed and equipped for use as a dwelling. Recreational vehicles (RVs) are not considered manufactured homes. Mobile/manufactured homes are permitted in all zones allowing single-family dwellings when such mobile home meets the following minimum requirements in addition to all other provisions applicable to the site.

1. The mobile/manufactured home or transportable factory-built housing unit shall be structurally certified per requirements of the National Manufactured Housing Construction and Safety Act of 1974.
2. The mobile/manufactured home shall be installed on an approved permanent foundation.
3. Roofs shall have a minimum pitch of 3 in 12 and shall be shingled or tiled in a manner sufficient to have the same appearance as a standard dwelling built on the site.
4. Siding material shall be of masonry, wood, stucco, or similar material having the same appearance as a standard dwelling built on the site.
5. The mobile/manufactured home installation shall be no older than ten years of age. The age measurement period shall be from the year of manufacture of the mobile/manufactured home to the year of the permit application.

Mobile home parks cannot exceed a maximum density of 2 to 8 units per acre, pursuant to Section 17.34.300 of

the Zoning Ordinance, depending on which zone they are located in.

### **FAMILY DAY CARE HOMES**

The Zoning Ordinance permits day cares by-right in every zoning district, as any zone permits either primary, accessory, or secondary residences.

### **SECONDARY UNITS**

The construction of secondary residential dwelling units in Paradise is permitted by-right in the M-F, AG-10, AG-20, C-F, and C-S zones without a use permit and is allowed in the AR-1, AR-3, AR-5, RR-1, RR-2/3, RR-1/2, TR-1, TR-1/2, and TR-1/3 zones subject to approval with an administrative permit. A secondary dwelling can be attached or detached to the primary residence. If the secondary dwelling is detached, the square footage maximum is 850 square feet for one bedroom, and 1,000 square feet for two or more bedrooms. The secondary dwelling must meet the same development standards as any dwelling located on the same parcel in the same zoning district. The Town's Zoning Ordinance was amended in April 2020 to be consistent with the requirements of State Law up to and including Statutes of 2019.

The Town's Zoning Ordinance is consistent with the requirements of Assembly Bill (AB) 1866. Grant funding was secured in 2020 through the wildfire Resiliency & Planning Grant that will fund the creation of an ADU handbook and mastered ADU plans. The town is currently working on this with completion scheduled for end of 2022 (see Program HI-8). The mastered ADU plans will also be updated in 2022 to comply with building code updates.

Accessory dwellings are allowed in the N-C, C-B, and C-C zoning districts by right to a permitted primary use.

### **FARMWORKER AND EMPLOYEE HOUSING**

The AG-10 and AG-20 zones allow single-family dwellings and secondary units. The secondary units

provide housing opportunities for farmworkers employed on the premises.

Farmworker housing needs are accommodated through housing programs and policies that assist lower-income households in general rather than a specialized program. The Town treats employee and farm labor housing that serves six or fewer persons as a single-family structure and permits it in the same manner as other single-family structures of the same type in the same zone (Section 17021.5). Additionally, the Town treats employee and farm labor housing consisting of no more than 12 units or 26 beds as an agricultural use and permitted in the same manner as other agricultural uses in the same zone in zones where agricultural uses are permitted (Section 17021.6). The Town has not had any submissions for farmworker housing projects.

The Employee Housing Act (Health and Safety Code Section 17000-17011) establishes requirements for employee housing. Pursuant to Program HI-19 of the 2014-2022 Housing Element, the Town revised the Paradise Municipal Code in November 2016 to comply with the Employee Housing Act. Because the Employee Housing Act was amended in 2019 and 2020, Program HI-18 is included to review the Zoning Ordinance for consistency with the Employee Housing Act.

### **FACILITIES FOR DISABLED HOUSEHOLDS**

Community care facilities are defined in the Zoning Ordinance as a facility, place, or building that is maintained and operated to provide nonmedical residential care, adult day care, child day care, intermediate care, congregate living, health care, or home-finding agency services for children, adults, or children and adults, including but not limited to the physically handicapped, mentally impaired, or incompetent persons and does not include drug recovery facilities. Community care facilities are allowed in the M-F, AR-1, AR-3, AR-5, RR-1, and RR-2/3 residential zones with the issuance of a use permit. Other zones that allow community care facilities include the I-S, N-C, C-C, and C-F zones with the issuance of a use permit, and the C-S zone with a site plan review. Larger community care facilities require use permits

### 3. CONSTRAINTS

because, consistent with the Town's General Plan, they must be located on arterial and collector streets and near commercial services. The Town's lower-density residential zoning districts (e.g., AR-1, AR-3, AR-5, RR-1, RR 2/3) are farthest from the downtown core and therefore by-right permitting of community care facilities with seven or more persons would present issues with safe and effective evacuation, proximity to services, and consistency with General Plan policies. However, Program HI-18 of the Housing Element would allow State-licensed residential care facilities for seven or more persons in the Sewer Service Overlay zone to be subject only to the restrictions that apply to residential uses in the same zone. This program will make it easier to locate care facilities while ensuring the facilities are appropriately located. The Town has not established any minimum spacing requirements for community care facilities or group residential uses.

Limited community care facilities are defined in the Zoning Ordinance as a community care facility which provides service for six or fewer persons, with the residents and operators of the facility being considered a family. These facilities are allowed in all residential zones by-right as well as in other zones that allow residential uses.

Community care facilities for seven or more persons require a conditional use permit in the AR-1, AR-3, AR-5, RR-1, RR-2/3, MF, C-C, N-C, I-S, and C-F zones. This use is allowed in the C-S zone with a Site Plan Review.

The Zoning Ordinance allows day care homes for small families or large families in all zoning districts.

The Zoning Ordinance defines "family" as an individual or two or more persons living together as a single household within a dwelling unit. A dwelling unit is defined as a residential building that provides complete, independent living facilities for one family, including permanent provisions of living, sleeping, eating, cooking, and sanitation. The Town does not distinguish between related and unrelated persons and does not limit the number of persons that may constitute a family.

The Town follows the requirements of the Americans with Disabilities Act (ADA) in regard to the development of accessible housing. Improvements, such as a wheelchair ramp or grab bars, to make a residence accessible to disabled persons are ministerial and typically require a building permit. Building permit applications for minor improvements can typically be issued over the counter. Paradise Municipal Code Title 15, Buildings and Construction, identifies improvements that do not require a building permit. No accessibility improvements are exempt from building permit requirements. Program HI-17 was included in the previous Housing Element advocating that the Town amend Title 15 of the Municipal Code to identify specific listed improvements which are exempt from building permit requirements, amend the Zoning Ordinance to allow reasonable accommodations in zoning and land use, and create a handout identifying accessibility improvements that can be permitted over the counter. That program was not implemented and is being continued in this Housing Element 2022-2030.

#### **Reasonable Accommodation**

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations to rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas. In addition, the Fair Housing Act prohibits a housing provider from refusing to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises.

The Town's current reasonable accommodation process is for applicants to make a reasonable accommodation request in writing that Town staff then works to accommodate. The Town has received only one request in the past 24 years, in December 2020. The Town approved the applicant's request for an ADA ramp to encroach into the front yard setback.

As mentioned above, Program HI-17 of the previous element is continued in this 2022-2030 Housing Element to amend the Zoning Ordinance to explicitly allow reasonable accommodations in zoning and land use.

### **Disabled Parking Standards**

The Zoning Ordinance establishes parking standards for each type of facility in a zone in accordance with the regulations of Section 1129B of Title 24, California Code of Regulations. Table 3-4 provides those parking requirements. Parking standards for housing for disabled persons are the same as all for residential development and do not pose a constraint on development of housing for disabled persons.

Program HI-15 of the previous Housing Element called for the Town to reduce the parking requirement for affordable housing projects, including for senior housing and disabled housing. The Town reduced the standard for senior housing but has not reduced the standard for affordable housing. Chapter 6 of this Housing Element 2022-2030 carries this policy forward (see HI-3).

### **FACILITIES FOR HOMELESS AND HOUSEHOLDS AT RISK OF HOMELESSNESS**

Facilities and housing for homeless persons and those at risk of homelessness fall into three categories: emergency shelter, supportive housing, and transitional housing.

#### **Supportive and Transitional Housing**

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (Health and Safety Code Section 50675.14).

"Transitional housing" and "transitional housing development" mean buildings configured as rental

housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (Health and Safety Code Section 50675.2).

State law requires the consideration of both supportive and transitional housing as residential uses that must only be subject to the same restrictions that apply to similar housing types in the same zone. In addition, AB 2162 (2018) requires supportive housing to be a use by right in zones where multi-family and mixes uses are permitted if the development meets certain requirements. The Paradise Zoning Ordinance does not identify zones that will allow the development of supportive or transitional housing. Implementation Program HI-16 in Chapter 6 proposes to establish both supportive and transitional housing uses by-right in zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses pursuant to Government Code section 65651, and to establish a permit process that is only subject to those restrictions which apply to other residential uses of the same type in the same zoning district. The implementation program will result in a revision to the Zoning Ordinance to bring it into consistency with State law.

#### **Emergency Shelters**

Every local agency must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelter as identified in the housing element, except that all local governments must identify a zone or zones to accommodate at least one year-round shelter. Adequate sites/zones can include existing facilities that can be converted to accommodate the need for emergency shelters.

The Paradise Zoning Ordinance includes provisions for emergency shelters in the following zones: C-C (with a conditional use permit), C-F (with administrative approval), and C-S (permitted by-right). Paradise



### 3. CONSTRAINTS

amended the Zoning Ordinance in 2010 to allow emergency shelters in the C-S zone by-right to be consistent with State law. Emergency shelters are compatible with the range of uses allowed in the C-S zone and sites in this zone are generally proximate to services. Sites designated C-S have adequate capacity to accommodate the Town's emergency shelter needs; there are a total of 136 parcels in the C-S zone covering 459 acres. The minimum net lot area in the C-S zone is 0.5 acres and a sample of sites zoned C-S in the sewer service area indicates parcels sizes range from 1.91 to 8.83 acres. This is within the 0.5- to 10-acre range that HCD considers feasible for affordable housing.

Figure 3-1 shows the proximity of the C-S zones to services such as grocery stores, schools, and parks. A walkability analysis conducted in Urban Footprint found that 49 percent of C-S parcels are within a 20-minute walk to public schools, 38 percent are within a 10-minute walk to parks, and 31 percent are within a 10-minute walk to retail. As the town continues to rebuild, access to health services and groceries is still constrained. Fewer C-S parcels are within a 20-minute walk to a hospital (10 percent) or a supermarket/grocery store (12 percent). As rebuilding continues, access to groceries and healthcare is anticipated to improve town-wide.

As shown in Figure 3-2, bus service runs along Skyway and Clark Road to connect Paradise to neighboring communities, including Chico, Oroville, and Magalia. Within town, bus service creates a loop around Skyway, Pearson Road, Clark Road, and Wagstaff Road, with transfer points at the intersections of Skyway/Wagstaff Road and Clark Road/Wagstaff Road. Most of the C-S parcels abut the bus service loop or the routes on Clark Road and Skyway. The Paradise Transit Center is north of the Birch Street/Almond Street intersection, adjacent to several C-S parcels and walking distance to many others along Pearson Road. The C-S parcels on the east side of town along Pentz Road are not served by transit and do not have as many services, but they are along a key evacuation route (Pentz Road). For these reasons, the C-S zone is considered the appropriate zone for ministerial approval of emergency shelters.

AB 139 (2019) amended Government Code Section 65583 to authorize local governments to apply a written objective standard that provides sufficient parking to accommodate staff in the emergency shelter, but not more than other residential or commercial uses within the same zone. The Paradise Zoning Ordinance does not include a minimum parking requirement for emergency shelters and is therefore consistent with this requirement.

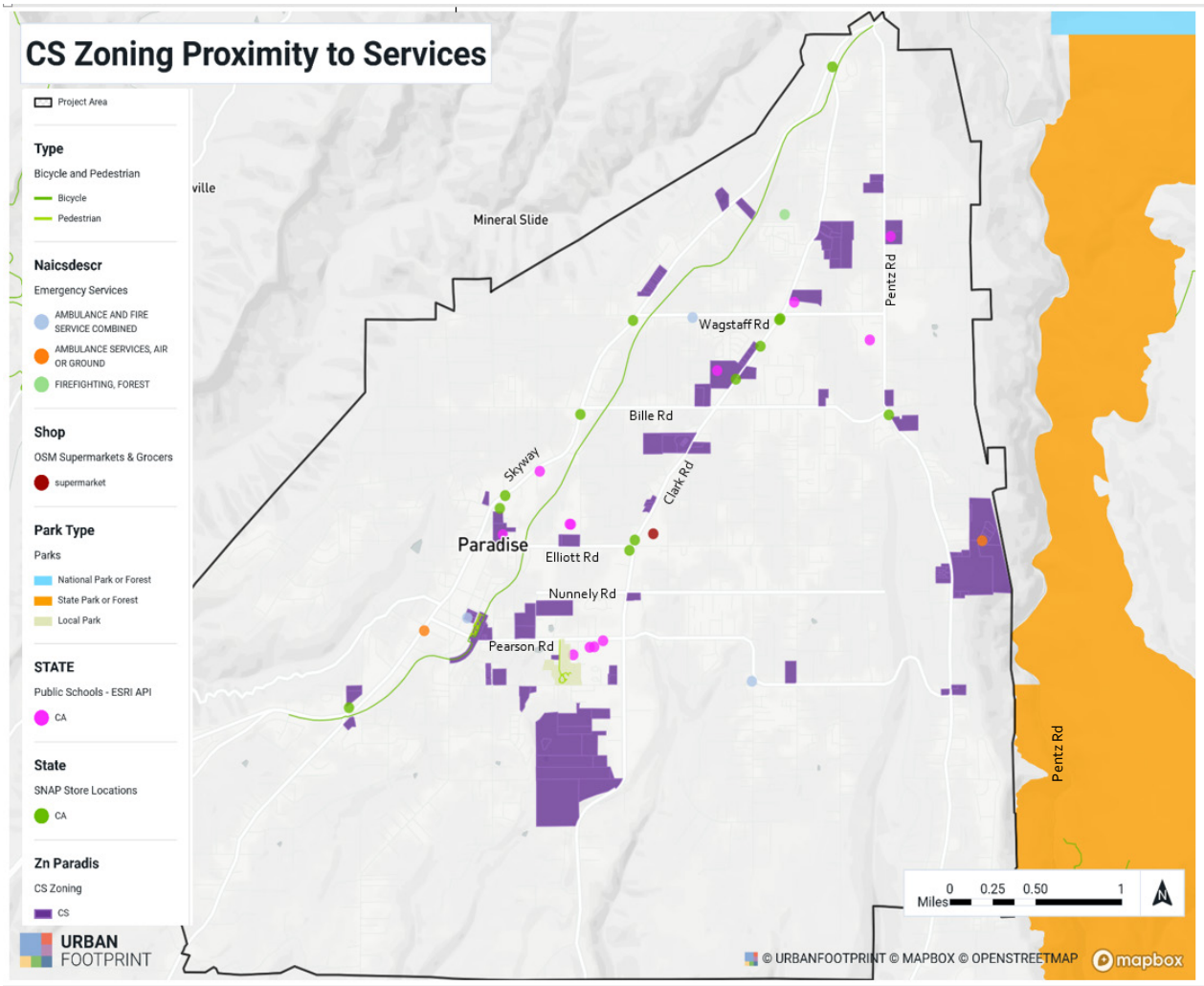
A Low Barrier Navigation Center (LBNC) is a temporary service-enriched shelter that helps homeless individuals and families to quickly obtain permanent housing. AB 101 (2019) established requirements for local jurisdictions to allow low barrier navigation centers as a by right use in certain districts. Program HI-19 is included to amend the Zoning Ordinance to allow LBNCs.

#### INTERIM HOUSING

Section 8.61 in the Town's Health and Safety Code relaxed some building and zoning regulations to allow for additional temporary housing given the immediate need for housing in the wake of the Camp Fire. Temporary housing, which is defined to include recreational vehicles and moveable tiny homes not on a permanent foundation, is allowed on qualifying parcels with a temporary use permit to house those displaced by the Camp Fire. Certain standards apply for residential use of temporary dwellings, including written consent from the property owner who owned the property at the time of the Camp Fire; proof of a damaged or destroyed residence; hook-ups to an approved source of water (e.g., public water supply, existing well); sewer disposal hook-ups (e.g., public sewer system, new or existing on-site sewage disposal system that has been approved by the town to be intact and functioning correctly); and connection to an approved source of electricity.

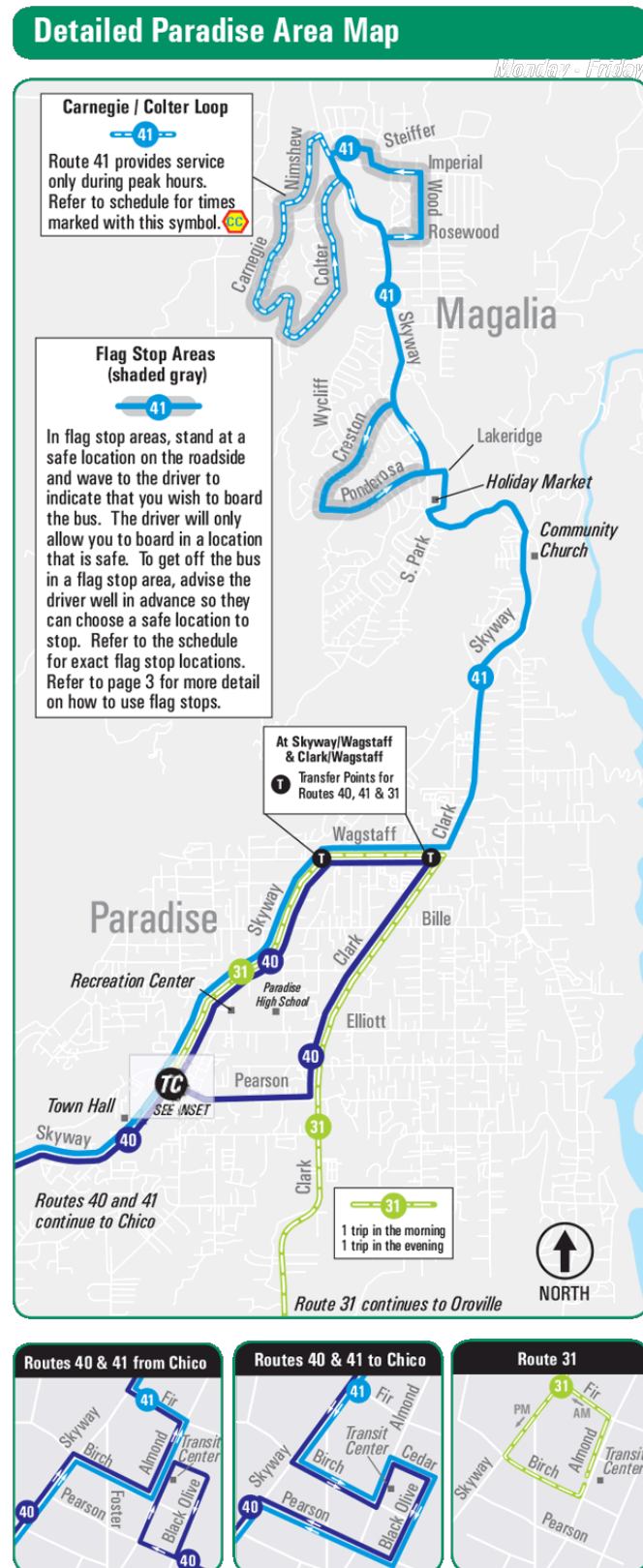
After October 1, 2021, the continued use of a temporary dwelling, as authorized with a temporary use permit, utilizing hook-ups for water, sewage disposal, and/or electricity on an Eligible Property shall be allowed until April 30, 2023, if there are no open code enforcement violations on the site as of September 30, 2021.

Figure 3-1: C-S Zones and Proximity to Services



### 3. CONSTRAINTS

Figure 3-2: Paradise Bus Service



### Housing Opportunities for Extremely Low-Income Households

Extremely low-income households can be housed in affordable housing developments with deep subsidies, such as Section 8 or Section 232. Other housing opportunities for extremely low-income households include housing with shared facilities, such as living or dining areas, with private sleeping areas and are often referred to as single-room occupancies (SROs). This type of development allows rents to be much lower than those associated with typical apartment complexes. The Town's Group Residential use allows for facilities such as SROs and is permitted in the M-F, C-C, and C-S zones with a site plan review and in the R-R and T-R zones with a conditional use permit. As discussed in Chapter 4, there are vacant sites in Paradise with these land use designations that accommodate group residential uses.

## PERMIT APPROVAL PROCESS

### PLANNING APPROVAL

Different approvals are required for residential projects depending on which zoning district they are in. See Table 3-1 for which approvals are required in which zoning districts. An Administrative Permit is an approval issued by the Planning Directory with very little or no personal judgement or discretion. The Planning Director (Director) is able to grant approval of a project upon determining whether it complies with existing and adopted development standards, criteria, policies, and regulations, as described in Municipal Code Section 17.45.240.C. A Conditional Use Permit (also called a Use Permit), however, requires more discretion. This permit often imposes conditions on a project which are designed to assure compatibility with the Town's General Plan and Zoning Ordinance and to minimize the impacts to neighboring land uses. Given the discretion involved with Conditional Use Permits, a hearing before the Planning Commission or Town Council may be required and the approval process takes longer.



The review and approval of a use permit involves the filing of a complete application, staff review and report writing for Director review, and determination on the application. If the Director determines that the use permit application is controversial or deals with major policy questions, the application may be referred to the Planning Commission for public hearing and action. As defined by Town of Paradise Administrative Policy 650 (adopted December 18, 1990), “controversial” means ‘one letter of opposition or one person expressing valid concerns’ and “major policy questions” refers to conditions when ‘policy issues arise or if a significant deviation of town adopted or sanction development standards is requested.’ Notice for the public hearing shall be in accordance with Section 17.45.700 of the Town Code. Decisions of the Community Development Director may be appealed to the Planning Commission or Town Council.

Use permits may be granted based on both of the following findings:

1. The proposed land use is consistent with the provisions of this title as well as the goals and policies of the Paradise general plan.
2. The proposed land use is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare.

Housing development within the town is not subject to the ministerial approval procedures required by Senate Bill (SB) 35 because the entirety of the town is located within a Very High Fire Hazard Severity zone pursuant to Government Code Sections 51178.5 and 51179, as established in Paradise Municipal Code Title 15 (15.01.010.C.2.2c). Building Codes

Building codes regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, wiring, plumbing, height, area, use, and maintenance of all buildings and/or structures in the town. In November 2019, the Town adopted a new building code—the 2019 California Building Standard Code (Title 24, Part 2) and the California Green Building Standards Code (Cal Green, Title 24, Part 11), with local amendments in

response to specific climatic, geographical, and topographical conditions. The California Building Standard Code (CBSC) is based on the 2018 International Building Code (IBC). The CBSC, as published by the California Building Standards Commission, is applied statewide. The building code includes provisions to reasonably accommodate disabled people in accordance with ADA requirements.

Compliance is verified by the Town first through the plan check process for new construction, remodeling, and rehabilitation projects. The plan check process ensures that the plan and specifications are designed according to code. The second step is scheduled inspections during construction to ensure that the structure is built to the plan specifications. Inspections are also conducted in response to public complaints or an inspector’s observation that construction is occurring without proper permits. Local enforcement of these codes does not add significantly to the cost of housing in Paradise and maintains an acceptable standard of health and safety for all inhabitants.

### LOCAL PROCESSING AND PERMIT PROCEDURES

Projects that do not require a land use entitlement, and are permitted-by-right, can obtain building permits directly through the normal plan check process. New residential projects not permitted-by-right are reviewed by the Planning Division to determine that the use is appropriate for the location and compatible with the existing and proposed land uses onsite and in the vicinity. The magnitude and complexity of the development proposal can affect the length of development review. Factors that can affect the length of development review on a proposed project include the completeness of the development application and the responsiveness of developers to staff comments and requests for information. Approval times are substantially lengthened for projects that are not exempt from the California Environmental Quality Act (CEQA), require rezoning or general plan amendments, or subject to a public hearing before the Planning Commission or Town Council.

### 3. CONSTRAINTS

The typical proposal for a single-family or multi-family residential development entitlement review is provided below:

- New single-family residences that comply with development standards are processed through the normal ministerial plan check process. Building staff is the approval body for single-family developments and do not require public hearings.
- New multi-family developments (3 or more units) located in the M-F zoning district are subject to a ministerial land use entitlement and design review approval. Planning staff is the approval body for these types of developments and do not require a public hearing. Approximate processing time to get to a decision is typically 6-8 weeks; following planning approval, the project would go through normal plan check process.
- New multi-family developments (3 or more units) that are in the C-C, C-S, or C-B zoning districts are subject to a discretionary land use entitlement and design review approval. The Planning Commission is the approved body for these types of developments, with a public hearing before the 5-member commission. Approximate processing time is 6-8 weeks if exempt from CEQA or 4-6 months if subject to environmental review. Following Planning Commission approval, the project would go through the normal plan check process.

All planning permit applications are first reviewed by Town staff for completeness, and discretionary applications must then receive a recommendation through a staff report prior to a review by the appropriate authority. Various applications may also require public hearing noticing and a public hearing. Table 3-6 below identifies the appropriate review process for each planning permit application.

#### PROCESSING TIMES

The residential development process has various stages, each of which requires some form of Town review. Initial processing of a development application depends on the type of project proposed (e.g., planned development, subdivision, single-family unit) as well as

whether additional requirements will need to be met (e.g., rezoning of land, environmental review). Therefore, processing review times can vary depending on many different factors. Processing times for development review in Paradise vary based on the size of the project and the extent of review required. The review period can range from 1 to 4 months, depending on the development type, with a maximum estimated wait time of 2 months for a single-family project. For a straightforward permit, such as a single-family home on appropriately zoned land, average estimated time is approximately 1 month. For a multi-family development, the maximum estimated time is approximately 4 months. Table 3-7 summarizes the approval requirements and estimated permit processing times of these typical housing types.

The Building, Wastewater, Planning, and Fire Protection staff have all been consolidated to one facility, under the Building Resiliency Center, which saves applicants time.

Although considered necessary to ensure compatibility with existing regulations, the permit approval process can be a constraint to housing given the time and steps required.

#### GOVERNMENTAL FEES

Although governmental fees do contribute to the total cost of housing development, the extent to which these costs are passed on to the consumer depends on the price sensitivity of each housing type and the ability of housing developers to absorb such cost increases and still maintain acceptable profit margins. Where increased costs cannot be absorbed by the consumer or developer, housing production will decline. In “price-sensitive” markets, such as that for affordable housing, when increased costs cannot be absorbed by the developer or products modified to compensate the developer, affordable housing is not built.

Government Code Section 66020 requires that planning and permit processing fees do not exceed the reasonable cost of providing the service, unless approved by the voters; agencies collecting fees must

**TABLE 3-6: PLANNING APPLICATION REVIEW PROCESS**

| Permit or Approval Type       | Type of Action | Final Review Authority |                     |              | Approximate Timeline |
|-------------------------------|----------------|------------------------|---------------------|--------------|----------------------|
|                               |                | Planning Division      | Planning Commission | Town Council |                      |
| Administrative Permit         | Ministerial    | X                      |                     |              | 6-8 weeks            |
| Administrative Noise Variance | Discretionary  |                        | X                   |              | 6-8 weeks            |
| Annexation Application        | Discretionary  |                        |                     | X            | 6-8 months           |
| Home Occupation Permit        | Ministerial    | X                      |                     |              | 3-4 weeks            |
| Design Review                 | Discretionary  | X                      |                     |              | 3-4 weeks            |
| GPA/Rezone                    | Discretionary  |                        |                     | X            | 4-6 months           |
| Landscape Plan                | Ministerial    | X                      |                     |              | 3-4 weeks            |
| Parcel Map                    | Discretionary  |                        | X                   |              | 4-6 months           |
| Remote Parking                | Ministerial    | X                      |                     |              | 3-4 weeks            |
| Permit to Mine                | Discretionary  |                        | X                   |              | 4-6 months           |
| Reasonable Accommodation      | Discretionary  | X                      |                     |              | 2-3 weeks            |
| Site Plan Review Permit       | Discretionary  |                        | X                   |              | 6-8 weeks            |
| Temporary Use Permit          | Discretionary  | X                      |                     |              | 2-3 weeks            |
| Subdivision Map               | Discretionary  |                        |                     | X            | 6-8 months           |
| Tree Felling Hearing          | Discretionary  |                        | X                   |              | 4-6 weeks            |
| Use Permit                    | Discretionary  |                        | X                   |              | 6-8 weeks            |
| Variance                      | Discretionary  |                        | X                   |              | 6-8 weeks            |
| Zoning Interpretation         | Discretionary  |                        | X                   |              | 6-8 weeks            |

Source: Town of Paradise, 2020.

**TABLE 3-7: APPLICATION PROCESSING TIMES**

|                               | Single-Family Unit   | Multi-Family   |
|-------------------------------|--|--|
| Typical Approval Requirements | Sanitation Land Use Review<br>Site Plan<br>Construction Documents<br>Fire Protection Documents | Sanitation Land Use Review<br>Land Use Entitlement<br>Design Review<br>Construction Documents<br>Fire Protection Documents<br>Engineered On/Off-Site Improvement Plans |
| Total Estimated Time          | Maximum 2 Months   | Maximum 4 Months   |

Source: Town of Paradise, 2020.

### 3. CONSTRAINTS

provide project applicants with a statement of amounts and purposes of all fees at the time of fee imposition or project approval. Table 3-8 presents the 2017/2018 permit processing, planning/zoning, and building fees for the Town of Paradise, which is the last time the fee levels were updated.

**TABLE 3-8: PLANNING AND BUILD SERVICES FEE SCHEDULE**

| Description of Service  | Fee                         |
|---|-----------------------------|
| <b>Permits and Variances</b>  |                             |
| Use Permit Class A  | \$880.34                    |
| Use Permit Class B  | \$1,559.84                  |
| Use Permit Class C  | \$2,495.73                  |
| Administrative Permit Major   | \$811.12                    |
| Administrative Permit Minor   | \$352.147                   |
| Administrative Permit Modification Major                            | \$374.36                    |
| Administrative Permit Modification Minor                            | \$176.07                    |
| Administrative Variance Noise Ordinance                             | \$169.13                    |
| Major Variance Permit Class B                                       | \$1,622.22                  |
| Minor Variance Permit Class A                                       | \$1291.17                   |
| Mello-Roos District Creation Application Fee                        | \$1,060.70                  |
| <b>Design and Site Plan Review</b>                                  |                             |
| Design Review Application – Façade                                  | \$273.38                    |
| Design Review Application – Architecture                            | \$437.40                    |
| Development Agreement   | \$16/acre plus<br>\$1395.30 |
| Development Agreement per acre fee                                  | \$19.92                     |
| Development Impact Fee Adjustment/Waiver/In-Lieu Credit Application | \$212.13                    |
| Site Plan Review Class A  | \$821.66                    |
| Site Plan Review Class B  | \$1,247.87                  |
| Site Plan Review Class C  | \$1,934.20                  |
| Preliminary Development Review Major w/Meeting                      | \$1,115.10                  |
| Preliminary Development Review Minor w/o Meeting                    | \$645.58                    |
| <b>Environmental Review</b>   |                             |
| EIR Requirement Appeal  | \$1,123.08                  |
| EIR Study Review  | \$748.72                    |
| CEQA Analysis/Document [Projects w/o Land Use Entitlement]          | \$748.72                    |
| <b>Plans, and Plan Amendments</b>                                   |                             |
| General Plan Amendment & Rezoning                                   | \$3,618.80                  |

**TABLE 3-8: PLANNING AND BUILD SERVICES FEE SCHEDULE**

| Description of Service  | Fee                        |
|---|----------------------------|
| General Plan Amendment (text only)  | \$1,747.01                 |
| General Plan Interpretation (Commission)  | \$528.20                   |
| <b>Maps and Boundaries</b>  |                            |
| Tentative Map 20 Lots or More   | \$3,431.63                 |
| Tentative Map 5 to 19 Lots  | \$3,182.05                 |
| Minor Map Modification Review   | \$469.51                   |
| Major Map Modification Review   | \$1,123.08                 |
| Parcel Map  | \$2,582.33                 |
| Landscape Plan  | \$318.20                   |
| Administrative Zoning Interpretation  | \$293.44                   |
| Modification to Planned Development Minor   | \$234.76                   |
| Modification to Planned Development Major   | \$623.93                   |
| Annexation Application  | \$2,745.30                 |
| Annexation Fee Developed Land (Commercial, Industrial and Multi-Family) [per square foot of developed area] | \$2.88                     |
| Annexation Fee Developed Land (Residential) [per dwelling plus]   | \$13.00/acre plus 1,218.00 |
| Annexation Fee Vacant Land (per acre)   | \$365.00                   |
| Appeal Review (per hour)  | \$117.38                   |
| Code Compliance Enforcement (per hour)  | \$113.20                   |
| Commission Zoning Interpretation  | \$410.83                   |

Source: Town of Paradise, 2017/2018 Master Fee Schedule.

**TABLE 3-9: TOTAL PROCESSING AND IMPACT FEES FOR MULTI-FAMILY UNITS IN PARADISE**

| Housing Unit Type    | Permit Fees | Development Impact Fees | Total Fees (per unit) | Approximate Cost per Unit |
|----------------------|-------------|-------------------------|-----------------------|---------------------------|
| Fourplex             | \$13,251    | \$20,327                | \$2,692               | <b>\$9,067</b>            |
| 8-Unit Multi-Family  | \$21,373    | \$43,620                | \$2,692               | <b>\$8,461</b>            |
| 12-Unit Multi-Family | \$28,010    | \$60,424                | \$2,692               | <b>\$7,594</b>            |

Note: Permit fees include the following: Fire Flow (for sprinkler calculations), Building Plan Check Fee, On-site Wastewater Division Fee, Building Permit Issuance Fee, and Fire Sprinkler Plan Review. Development impact fees include a school assessment fee and Paradise Rec & Park District Fee. Building fees include the following: Stormwater Post-Construction Standards, Grading Fee, Engineered Site Plan Review, Erosion Control Plan Review, and Landscaping Plan Review.

Source: Town of Paradise and Strategic Economics, 2021.

Government Code Section 66000 et seq. (Mitigation Fee Act) sets forth procedural requirements for adopting and collecting capital facilities fees and exactions, and requires they be supported by a report establishing the relationship between the amount of any capital facilities fee and the use for which it is collected. Government fees in Paradise include charges from the Town, Paradise Unified School District, Paradise Irrigation District, and Paradise Parks and Recreation District. The Town of Paradise adopted these fees in accordance with the nexus requirements of the Government Code. According to the Town of Paradise Building Resiliency Center, development impact fees (inclusive of the school assessment fee and Rec & Park District Fee) typically total between \$8,257.60 and \$9,688 for a new, 2,000-square-foot single-family home on a never developed lot. Estimates prepared by Strategic Economics with input from the Town found that a typical fourplex multi-family building would be subject to approximately \$4,705 in impact fees while an eight-unit building would be subject to approximately \$10,000. These fees are not excessive compared to other fees collected in other communities in California.

Table 3-9 identifies the typical development fees for three different types of multi-family housing levied by the Town. These fees are a very small portion of development costs and do not represent a significant financial constraint to new housing development. For comparison, an 8-unit multi-family building developed in Chico would be subject to an equivalent of \$21,025 in fees per unit (compared to \$8,461 per unit in Paradise) and a 12-unit building would be subject to \$15,206 in fees per unit (compared to \$7,594 per unit in Paradise). This means that the development fees in Chico, a neighboring jurisdiction, are over twice as much as the fees in Paradise.

#### AVAILABILITY OF INFORMATION ON DEVELOPMENT STANDARDS AND FEES

Government Code Section 65940.1 requires that information regarding fees, impact fee studies, exactions, zoning ordinances, development standards, and application requirements be posted on the local

jurisdiction's website. The Town's Municipal Code is available online ([https://library.municode.com/ca/paradise/codes/code\\_of\\_ordinances](https://library.municode.com/ca/paradise/codes/code_of_ordinances)), information on submittal requirements are available on the Planning webpage (<https://www.townofparadise.com/planning>), Building Resiliency Center webpage (<https://www.townofparadise.com/recovery/page/building-resiliency-center>), and the Master Fee Schedule and other financial reports are available on the Town's Finance webpage (<https://www.townofparadise.com/finance>).

## INFRASTRUCTURE CONSTRAINTS

### WATER

Water is provided by two water purveyors, the Paradise Irrigation District and the Del Oro Water Company. The Paradise Irrigation District is the major supplier of water in town with approximately 9,800 municipal and residential/commercial customers. The Del Oro Water Company serves approximately 140 acres in the southeast corner of Paradise on both sides of Pentz Road.

The Paradise Irrigation District (PID) is an independent special district governed by a five-member Board of Directors elected by the voters of the district. The district is a nonprofit agency that operates for the sole benefit of the lands and people within its boundaries. PID was originally formed in 1916 under the laws of the California Water Code for the purpose of providing agricultural water to approximately 1,000 ridge residents. Today PID delivers water to residential/commercial customers in an 11,250-acre area. The primary source of water supply is surface water from rainfall stored in two reservoirs, Paradise Reservoir and Magalia Reservoir. The upstream reservoir, Paradise Lake, is the main storage facility with a total storage capacity of approximately 11,500 acre-feet. Surface water from Paradise Lake is released into Little Butte Creek and flows to Magalia Reservoir. Magalia Dam is currently restricted to 800 acre-feet of storage as a result of the current maximum water surface elevation dictated by the Department of Water Resources, Division of Safety of Dams (DSOD). PID's water distribution network sustained substantial damage

### 3. CONSTRAINTS

during the Camp Fire. According to the 2020 PID Urban Water Management Plan, to date, PID continues to repair or replace main segments that sustained leak damage or have remained off with an outlook of several years before all breaks can be addressed.

Prior to the 2018 Camp Fire, PID implemented a simple rate structure with a single tier. Following the 2018 Camp Fire, and due to meter damage sustained in the fire, PID's customers pay only the monthly service fee or sealed Paradise Irrigation District 2020 Urban Water Management Plan Demand Management Measures 9-3 rate and are not currently charged for volumetric water usage. PID's Meter Installation and Service Lateral Phase 2 Project, slated to start in 2021, will support the return of the distribution system to metered service, and PID will resume charging customers for volumetric water consumption.

Paradise relies upon annual precipitation and runoff in the Butte Creek watershed. Depending upon trends in climate change, annual precipitation and snowpack conditions, Paradise may experience shortage in the future. However, through the planning horizon of this Urban Water Management Plan, there is no anticipated shortage of supply in any year type. This is partially due to the reduction in demand caused by the 2018 Camp Fire. As Paradise continues to rebuild following the disaster, trends in redevelopment and possible intensification may change the outlook of water supply through 2045.

The Del Oro Water Company was established in 1963 to meet the water needs of the Paradise Pines area in Magalia. Del Oro currently serves Paradise Pines, Magalia, and Lime Saddle, which are unincorporated areas adjacent to Paradise. Paradise Pines is an unincorporated rural residential community located immediately north of Paradise. Magalia is an unincorporated area of approximately 400 acres located between Paradise Pines and the Town of Paradise. Lime Saddle is an area of approximately 2,750 acres that extends south from the Town of Paradise to Lake Oroville.

PID and Del Oro have adequate infrastructure systems and water supplies to meet the town's service demand, including the 2022-2030 RHNA. Water is not considered a constraint to housing development at this time given the findings of the 2020 PID Urban Water Management Plan.

#### WASTEWATER

The Town of Paradise is the largest unsewered incorporated community in California. Wastewater treatment facilities in the town consist of privately owned septic tanks and soil absorption disposal systems known as leach fields, as well as several engineered subsurface disposal systems serving commercial and institutional facilities. These systems are prone to failure and limit development opportunities due to the sizing constraints of the private septic and leach fields. Following the Camp Fire, and building on several previous studies to create an alternative sewer collection and discharge system for the town, the Town proposed a regional wastewater management solution to replace a portion of the Town's septic systems. The proposed sewer collection system and treatment will facilitate regrowth, replace failed septic systems, and improve the local economy. The proposed sewer service area (SSA) will serve approximately 1,400 parcels through the Skyway, Clark Road, and Pearson Road corridors, which represents most businesses in Paradise and provide for future development of more multi-family residences, which is currently limited because of septic system constraints.

Presently, the typical residential septic system installation in Paradise consists of two-chambered septic tanks, approximately 1,000 gallons in volume, connected to about 150 feet of leach field piping. In the septic tank, heavy solids settle and decompose, leading to the formation of a sludge blanket that must be periodically removed. Grease and other floatables are trapped in a scum layer that forms behind the baffles. In a properly designed, well-maintained septic tank, 40 to 70 percent of the total soluble solids (TSS) and 25 to 60 percent of the biological oxygen demand (BOD) are removed. However, septic tank effluent still contains large quantities of pathogenic microorganisms and



nutrients. Effluent from the septic tank enters the leach field where physical, chemical, and biological processes in the soil provide further treatment and disposal of the wastewater.

Paradise previously studied options to construct a wastewater collection, treatment, and disposal facility, including the environmental impact reports, feasibility studies, engineering plans, cost estimates, legal expenses, and acquisition of easements and rights-of-way. In 1992, Paradise formed the Town of Paradise Onsite Wastewater Management Zone. The purpose of the formation of the zone was to identify, permit, inspect, monitor, and regulate repairs and new construction of on-site wastewater systems which are required for new development. This was accomplished for the protection of public health and the environment. The zone currently permits and regulates over 11,000 various wastewater systems. The system varies in complexity from standard septic tanks and absorption fields to small biological wastewater treatment systems.

A typical on-site septic system can only accommodate densities at up to 10 units per acre and even this is a high intensity requiring ideal soil and site conditions. In order to facilitate the development of higher-density residential uses, the Town has also taken steps to provide alternatives to on-site wastewater treatment and to encourage high-density residential developments using alternative wastewater treatment systems. The Town is researching the development of the Town sewer collection system to accommodate redevelopment in the Downtown Revitalization Master Plan area and commercial corridors along Skyway, Clark Rd, and Pearson Rd.

The Downtown Revitalization Master Plan area includes sites designated M-F, C-S, C-B, N-C, and C-C. The M-F and C-S designations allow up to 15 units per acre when served by a clustered wastewater treatment system. The C-B designation allows 15 dwelling units per acre and the N-C and C-C designations allow 10 dwelling units per acre. The Town continues to research alternative methods of on-site septic and off-site treatment to accommodate increased densities. Before

being destroyed in the Camp Fire, the Paradise Community Village project was able to develop with a density of 14 dwelling units per acre with an on-site, clustered wastewater treatment system. Paradise Community Village was the first development to utilize the clustered systems.

Further, the Town amended the Municipal Code to allow privately owned wastewater treatment facilities to be placed and maintained off-site, which will aid in the development of small lots that would normally not be able to accommodate wastewater disposal on their own property as well as facilitate projects developing at near maximum densities.

In 2020, the Town contracted with HDR, an engineering consulting firm, to prepare an updated assessment of sewer project options. The assessment compared two alternatives for local wastewater treatment and discharge with a regional alternative involving piping wastewater to the Chico Water Pollution Control Plant (WPCP). The regional alternative was recommended because it had the lowest cost, community impacts, probable environmental impacts as well as the simplest operations and most support from the Central Valley Regional Water Quality Control Board. The area served would include the corridors along Clark Road, Skyway, and Pearson Road. The Town is moving forward with preparation of a full Environmental Impact Report (EIR) to provide further information on sewer project alternatives, projected to be completed in 2022. Design and permitting is projected for 2023-2024 and construction in 2024-2026.

### Summary

The wastewater infrastructure in the Town of Paradise and throughout the unincorporated areas immediately adjacent to Paradise has relied mostly on septic and leach field systems in past years. This situation is a viable alternative for new development at lower densities, but not for development at densities of 10 units per acre or higher. Development in Paradise is constrained by the lack of a community sanitary collection and treatment system. The Town allows a clustered wastewater treatment system that combines

### 3. CONSTRAINTS

several discharges, treats the waste in one biological treatment plant to a high-quality level, and discharges to subsurface land disposal. The clustered system is an alternative design that is accepted by the Town and serves as a means to allow development to move forward without the impacts that are associated with the septic leach line systems that currently serve most of Paradise. This alternative can be feasible for a larger project or a consortium of property owners, but is a constraint to small individual projects due to the relatively high cost. Furthermore, the Town is continuing to pursue of the Town of Paradise Sewer Project. This system, when completed, will allow for wastewater collection, transport, and treatment from properties identified in the proposed sewer service area, which is encompassed by Clark Road, Skyway, and Pearson Road. Chapter 6 includes implementation measures related to the creation of a Sewer Service Overlay Zone to accommodate greater densities in the SSA.

#### TRAFFIC AND ROADS

Regional access to the Town of Paradise is provided via the Skyway and State Route (SR) 191, known as Clark Road within the Town limits. The Skyway connects from SR 99 just south of Chico to Paradise in a southeasterly direction. SR 191 connects from SR 70 just north of Oroville to Paradise in a northerly direction.

The street classification system in Paradise consists of arterials, collectors, and local streets. The system consists of three major north–south streets (Skyway, Clark Road, and Pentz Road) and four east–west arterial streets (Wagstaff Road, Bille Road, Elliott Road, and Pearson Road). Other arterial streets include Sawmill Road, Nunneley Road, Roe Road and Libby Road. A network of collector and local streets feeds into these arterials.

According to the Los Angeles Times,<sup>2</sup> there are also nearly 100 miles of private roads in Paradise that dead-end on narrow overlooks with few connector streets.

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<sup>2</sup> Los Angeles Times, 2018. *Here's how Paradise ignored warnings and became a death trap*. Available at:

These dead-end roads are a constraint to providing safe housing given the challenges to evacuate from these neighborhoods. The Town of Paradise is currently preparing a Transportation Master Plan that will include recommended gap closures to strengthen future traffic evacuation demands. The Transportation Master Plan is anticipated to be completed in 2022. The Safety Element of the General Plan is also undergoing an update to try to mitigate hazards related to wildfire and evacuation bottlenecks.

### NON-GOVERNMENTAL CONSTRAINTS

Non-governmental constraints are those that are generated by the economic and social environment which are beyond the control of local governments. Some of the impacts of non-governmental constraints can be offset to a minimal extent by local governmental actions, but usually the effects are localized and have little influence on the housing need in the jurisdiction or market area. Non-governmental constraints to affordable housing are traditionally considered to consist of three major factors: land costs, cost of construction, and availability of financing.

#### FIRE RELATED CONSTRAINTS

The 2018 Camp Fire has created significant other constraints to the production of housing. As noted in *The Impacts of Camp Fire Disaster on Housing Market Conditions and Housing Opportunities in the Tri-County Region*, in the immediate aftermath of the disaster major rebuilding challenges faced by communities in the burn scar have included:

- Hazardous waste removal from all impacted properties.
- Debris removal from all impacted properties.
- Benzene contamination in the Paradise Irrigation District water system requiring the clearing and

<https://www.latimes.com/local/california/la-me-camp-fire-deathtrap-20181230-story.html>, December 30.



replacement of lines to homes and businesses to provide safe water.

- Certification of all waterline replacements prior to rebuilding.
- Massive tree mitigation to remove more than a half million hazardous trees in the public right-of-way as well as those on private properties capable of falling in the public right-of-way.
- Additional tree mitigation to remove hazardous trees on private properties capable of landing on adjacent private properties and structures.
- Assessing damage to community infrastructure, including hundreds of miles of private roads further damaged during the debris removal process.
- Assessing the devastating impacts of lost residents and businesses on the long-term fiscal health and stability of the affected communities.
- Securing the necessary financial resources needed to fund the long-term recovery and rebuilding effort.
- Lack of affordable housing units (including single-family, multi-family, and manufactured homes) due to those lost and infeasible to replace at former monthly housing costs.
- Limited number of undamaged homes available for sale or lease in the burn scar areas and often out-of-reach for former residents looking to return to their communities without rebuilding.
- The long time period required to receive Federal and State funding needed to replace affordable housing units, which is too long for current residents in limbo and contributes to unhealthy and unsafe living conditions for survivors.
- Rapidly rising costs of new construction, especially for affordable housing projects, which requires a greater level of funding from various resources than that typically received. The delays in Federal and State funding do not keep pace with continually rising costs.

Going forward, housing challenges faced by communities in the burn scar have included:

- Finding temporary housing for displaced residents to allow them an opportunity to stay within the region.
- Qualifying victims for financial support to help them find and secure housing.
- Rise in homelessness due to fire survivors having inadequate resources and aid.
- Major gap funding needed for underinsured homeowners to rebuild.
- The costs of rebuilding a home outpacing the level of insurance settlements.
- Large increases in insurance premiums and cancellations of existing homeowner policies.
- The extended timeline needed to rebuild creates uncertainty of returning residents.
- Large number of residents in precarious housing situations potentially leads to increased homelessness.
- Widespread underinsurance among households damaged or destroyed by the fire. They study cited a survey reporting that 60% of the survey respondents do not have enough insurance to cover the cost of repairing, replacing, or rebuilding their home. The median amount of underinsurance was \$100,000.
- Difficulty obtaining insurance payment and long waiting period for disbursement of PG&E settlement funds (Fire Victims Trust). Several insurance companies were withholding payment of policy benefits until the policyholders completely rebuild their homes, but the policy holders are unable to rebuild without the proceeds from the Fire Victims Trust.
- High cost of rebuilding. Due to a general shortage of building contractors and an increased cost of building materials, cost to rebuild are much higher than the value of the original home.

The *Camp Fire Regional Economic Impact Analysis* (January 2021) noted several of the factors cited above that are likely to hinder rebuilding and provided additional data, including:

### 3. CONSTRAINTS

- Difficulty obtaining or renewing insurance. Insurance rates have increased beyond the reach of many homeowners. If residents cannot obtain insurance on the voluntary market, they can obtain coverage under California's FAIR Plan, although these rates are higher. On November 5, 2020 the California Department of Insurance extended the one-year moratorium on insurance companies non-renewing or canceling residential property insurance policies in wildfire disaster areas. It is uncertain whether this current moratorium will be extended.
- The amenities provided by the land have temporarily changed/dropped in land values. While the value of surviving homes has gone up slightly due to high demand and low supply, the land value has dropped 75 percent. While this may be a positive effect for new buyers to rebuild individual homes, it provides reduced property revenues to the Town, County, schools, and special districts.
- Fire risk may negatively impact the value of homes in fire-prone areas. If public perception of the riskiness of living on the Ridge leads to a decrease in property values in this area, it would further exacerbate the tax revenue issues and could dampen efforts to rebuild.

#### MORTGAGE LENDING

Following the boom in the mortgage lending markets from 2000 through 2006, a financial crisis began in 2007. Its proximate cause was the end of the U.S. housing boom, which revealed serious deficiencies in securitized mortgage products that were offered leading up to 2006, particularly subprime mortgages with adjustable interest rates.

Mortgage markets, which were deeply affected by this financial crisis, have largely recovered since 2010. Following a period of particularly heightened caution in lending, interest rates have recovered with 2020 having the lowest average mortgage interest rates of the century. 2021 is on track to produce an even lower average interest rate than 2020.

For persons with lower credit scores and lower incomes, higher interest rates remain in place, but these higher interest rates are now at levels previously seen as the national average. Despite this, mortgage lending remains highest for buyers with high income and high credit scores, in part due to the drastic increase in home prices and shortage of for-sale homes seen in the last few years.

Town staff have also seen the impacts of the COVID-19 pandemic on the housing landscape in that borrowers were filing for mortgage forbearance, sometimes before the loans were sold, and that lessened the cash on hand the banks had to loan.

#### FINANCING COSTS AND AVAILABILITY

One of the most significant factors related to the provision of adequate housing for all segments of the population is the availability of financing. The average annual mortgage interest rates for the years 2005 through the first half of 2021 can be found in Table 3-10.

TABLE 3-10: AVERAGE ANNUAL MORTGAGE INTEREST RATES 2005–2020 (Q1)

|      |      |
|------|------|
| 2006 | 6.41 |
| 2007 | 6.34 |
| 2008 | 6.03 |
| 2009 | 5.04 |
| 2010 | 4.69 |
| 2011 | 4.45 |
| 2012 | 3.66 |
| 2013 | 3.98 |
| 2014 | 4.17 |
| 2015 | 3.85 |
| 2016 | 3.65 |
| 2017 | 3.99 |
| 2018 | 4.54 |
| 2019 | 3.94 |
| 2020 | 3.11 |
| 2021 | 2.84 |

Source: Freddie Mac, Monthly Average Commitment Rate and Points on 30-Year Fixed Rate Mortgages.

In 2006 as home prices peaked, interest rates climbed by 0.5 percent to 6.4 percent and held over 6 percent for the next two years. Beginning in 2008, interest rates had already dropped significantly and have continued to drop. As of December 2013, the annual average had reached 3.98 percent. After 2013, interest rates fluctuated, and eventually rose to 4.54 by 2018. Since then, they have fallen significantly to some of the lowest rates in the last 15 years.

Generally speaking, households can afford to spend 30 percent of their monthly income on housing. This figure assumes that the household does not have an already high debt-to-income ratio or other high monthly expenses. A household of four earning the 2021 median annual income of approximately \$70,700 in Butte County could theoretically afford a monthly housing payment of \$1,768. With a 5 percent down payment and including utilities, taxes, and insurance, a median income household could purchase a home valued at approximately \$225,000 at a 3.8 percent interest rate. As interest rates increase, affordability is significantly eroded.

Assistance is available through a Town-sponsored Down Payment Assistance program to eligible and qualified buyers.

### LAND COSTS

According to the California Building Industry Association, the cost of land represents an ever-increasing proportion of the total housing development cost. Since the mid-1960s, raw land costs are significantly more in California than in the rest of the United States. However, as noted above, land values have decreased by approximately 75 percent as a result of the Camp Fire.

Measures to reduce land costs, which are traditionally available to local governments, include the use of Community Development Block Grant (CDBG) funds and the use of government-owned surplus lands for housing projects. These measures generally benefit the construction of assisted, low-income housing. The Town of Paradise utilizes CDBG funding. Most of the funding to date has been utilized for commercial

revitalization programs in the project area established under the Redevelopment Agency (now defunct).

### COST OF CONSTRUCTION

Construction costs can vary widely depending on the type of development. Multiple-family residential housing generally costs less per unit to construct than single-family housing.

Labor and materials costs also have a direct impact on housing costs and are the main component of housing costs. Residential construction costs vary greatly depending on the quality of materials used and the size of the home being constructed. Construction costs include both hard costs, such as labor and materials, and soft costs, such as architectural and engineering services, development fees, and insurance. Rising costs of labor and materials have contributed to non-governmental constraints on housing development and improvements.

As reported in the Camp Fire Regional Economic Impact Analysis (January 2021), construction costs were reported to be \$250 to \$300 per square foot. Table 3-11 breaks down the estimated construction costs for multi-family construction in Paradise.

**TABLE 3-11: CONSTRUCTION COSTS**

| Item Name   | Metric      | Estimate |
|---|-------------|----------|
| Site Improvements                                 | Per land SF | \$15     |
| Residential Construction Cost (Type V Wood Frame) | Per GSF     | \$225    |
| Town Fees   | Per GSF1    | \$8.72   |

Source: Strategic Economics, 2021.

### ENVIRONMENTAL ISSUES

The geographical nature of the Paradise ridge is characterized as having steeper sloped canyons east and west of the town and smaller canyons to the south, limiting residential densities and entirely precluding development in some areas. These areas are generally designated for low-intensity uses, as they are not suitable for intense uses such as higher-density residential developments. Grading requirements and

### 3. CONSTRAINTS

engineering techniques to develop on steeper slopes increase the cost of housing.

Soil suitability for septic systems affects the minimum parcel size as well as septic system installation and monitoring requirements, all of which affect the cost of housing.

Although there are no areas within the Town of Paradise that are designated by FEMA as within a Special Flood Hazard Area (100-year or 500-year flood), the area is traversed by several small streams and subject to localized flooding. Localized stormwater flooding is common in the FEMA floodplains, but areas outside of the floodplain can experience flooding as well, which can lead to extreme erosion and loss of property. Planning for this can lead to increased development costs through additional development of impermeable surfaces and drainage.

The majority of the town of Paradise lies within a Very High Fire Hazard Severity zone. The Butte County Local Hazard Mitigation plan, Zoning Ordinance, and the General Plan implement techniques to reduce such hazards. Additional measures are considered in this Housing Element and the concurrent Safety Element. The high fire severity zone does serve as a constraint to housing through additional development standards and the need for alternative building materials.

#### OTHER

Paradise's existing wastewater capacity limits the density of new development to approximately 15 units per acre, as described in greater detail by "Infrastructure Constraints" in this chapter.

During the previous planning period, the Town did not receive any requests to develop at densities lower than identified by the 2014-2022 Housing Element. The Town has not received any similar requests for potential housing sites in the sites inventory for this 2022-2030 Housing Element.

In addition, there are no issues causing extended delays between entitlements approval and the building permit

process. During the previous planning period (2014 to 2022) the timing of building permit submittal was less than 6 months after entitlement approval, with the exception of delays resulting from the Camp Fire.

### AT-RISK ASSESSMENT

Properties are at risk when they are within 5 years of the end date of the most valuable subsidy or rent restriction. Each property is assigned a level of risk of conversion. There are three levels of risk: at risk, lower risk, and low risk. Properties are at lower risk of conversion when their most valuable subsidy or rent restriction is scheduled to terminate within 6 to 10 years of the current date. Properties are low risk when their subsidies and/or rent restrictions will expire more than 10 years in the future. If a property is owned by a nonprofit organization, the database assumes that the risk of conversion to market rate is one level lower than it otherwise would be.

Three projects were identified as at-risk in the 2014-2022 Housing Element and all three were destroyed in the Camp Fire. The Paradise Community Village used insurance and FEMA assistance to rebuild and thus retained the original funding and affordability expiration date. Paradise Gardens III is currently pursuing rebuilding and in the planning phase. The project got their tax credits approved and their building plans mastered in April 2021 and therefore are no longer considered at risk. The Cypress Acres Convalescent facility is not the subject of a current rebuilding proposal.

In addition to the federally funded projects mentioned above, the Town currently has a recorded covenant with the owner of 4758 Skyway (APN 051-230-041) for three units that are affordable for a 30-year period. The affordability covenant will not expire until 2045 (i.e., 23 more years from the date of writing) and therefore the three units are not considered at risk.

According to the California Housing Partnership's Preservation Database and Town staff, there are no at-risk projects (see Table 3-12).

TABLE 3-12: FEDERALLY ASSISTED MULTI-FAMILY HOUSING

| Name                                | Address              | Pre-Fire Units | Pre-Fire Affordability Exp. Date | Rebuild Status            | Anticipated Future Units | Affordability Expiration Date |
|-------------------------------------|----------------------|----------------|----------------------------------|---------------------------|--------------------------|-------------------------------|
| Paradise Gardens III                | 1040 Buschmann Road  | 48             | 12/21/2015                       | Exploring funding options | 48                       | TBD                           |
| Cypress Acres Convalescent Hospital | 1633 Cypress Lane    | 50             | 3/1/2031                         | Unknown                   | 0                        | N/A                           |
| Paradise Community Village          | 1001 Village Parkway | 36             | 2041                             | Completed                 | 36                       | 2041                          |

Source: HUD; USDA; California Housing Partnership Corporation (pre-fire conditions); Kate Anderson, personal communication, August 18, 2021.

## TERMINATION NOTICE REQUIREMENTS

State law (Government Code Section 65863.10) requires notice by owners who want to terminate their rental restrictions (Section 8 and federally assisted mortgages), whose restrictions expire (tax credit projects), or who want to sell an assisted property. The law applies to projects with low-income rental restrictions, including (1) all types of project-based Section 8 developments; (2) projects with mortgages financed through the Section 221(d)(3) BMIR, Section 236, Section 202 programs or Section 515; and (3) projects that have received an allocation of tax credits under Section 42.

AB 1521 adopted in 2017 changed Section 65863.10 to increase the notices required from two to three: one at three years prior to termination or expiration of the restrictions, one at 12 months prior, and a third notice at six months. The purpose of these notices is to inform tenants, local governments, local housing authorities, and the California Department of Housing and Community Development (HCD) of the owner's intention to terminate restrictions.

California law also contains an "option to make an offer to purchase" (Government Code Section 65863.11). The purpose of this provision is to provide buyers willing to preserve an assisted project with an opportunity to try to purchase the development from the seller. An owner who chooses to terminate rental restrictions or whose restrictions are expiring is required to provide a notice to potential qualified buyers. An owner with an assisted project also must provide notice if selling the project would result in discontinuance of the use restrictions.

A notice must be sent to all qualified entities who register with HCD on its website or who contact the owner directly. This notice must be sent three years prior and 12 months prior to sale or termination by registered or certified mail, as well as posted in the project.

## ACTIVE TERMINATION NOTICES

At the time of this writing, no notices have been filed with HCD by private owners of assisted multi-family housing units indicating they are considering termination of rental restrictions or conversion of restricted units to market-rate units.

## OPPORTUNITIES FOR ENERGY CONSERVATION

Energy-related costs could directly impact the affordability of housing in Paradise. Title 24 of the California Administrative Code sets forth mandatory energy standards for new development and requires the adoption of an "energy budget." Subsequently, the housing industry must meet these standards and the Town is responsible for enforcing the energy conservation regulations. Alternatives that are available to the housing industry to meet the energy standards include:

- A passive solar approach that requires suitable solar orientation, appropriate levels of thermal mass, south-facing windows, and moderate insulation levels.

### 3. CONSTRAINTS

- Higher levels of insulation than what was previously required, but not requiring thermal mass or window-orientation requirements.
- Active solar water heating in exchange for less stringent insulation and/or glazing requirements.

The utility company serving Paradise, Pacific Gas and Electric Company (PG&E), offers various programs to promote the efficient use of energy and assist lower-income customers.

PG&E provides electricity and natural gas to consumers in Paradise as well as a variety of energy conservation services for residents. In addition, PG&E offers energy assistance programs for special needs and lower-income households to help households conserve energy and control utility costs. These programs include the California Alternate Rates for Energy (CARE), the Relief for Energy Assistance through Community Help (REACH), Family Electric Rate Assistance (FERA), and the Energy Partners Program.

The CARE program provides a 20 percent monthly discount on natural gas and electric rates to households with qualified incomes, certain nonprofit organizations, homeless shelters, hospices, and other qualified nonprofit group living facilities. CARE offers assistance to single-family households, sub-metered tenants, and agricultural employee and migrant farmworker housing.

The REACH program provides one-time energy assistance to customers who have no other way to pay their energy bill. The intent of REACH is to assist low-income households, particularly the elderly, disabled, sick, working poor, and the unemployed, that experience hardships and are unable to pay for their necessary energy needs. Individuals who experience an uncontrollable or unforeseen hardship can receive credits to pay their energy bills.

The FERA program provides utility assistance to households with three or more members that are low or middle income. This program allows these households to be billed at Tier 2 rates for Tier 3 power usage.

The Energy Partners Program provides free weatherization measures and energy-efficient appliances to low-income households.

In addition, the California Department of Community Services and Development funds the Home Energy Assistance Program (HEAP). HEAP provides financial assistance to eligible low-income persons to offset the costs of heating and/or cooling their housing unit.

Additionally, the Town of Paradise offers a reduced flat fee (\$131.40), fast-tracked, plan review process for residential solar projects.





## CHAPTER 4 | RESOURCES

This chapter discusses resources available for the accommodation and development of the Town's housing needs, including resources to assist those who are rebuilding. The discussion includes: an evaluation of the adequacy of the town's land inventory to accommodate the town's share of regional housing needs for the 2022-2030 planning period; a review of financial resources to support housing activities; a discussion of the administrative resources available to assist in implementing the housing programs contained in this Housing Element; and a description of the requirements and resources Paradise has to encourage energy conservation.

### HOUSING SITES INVENTORY

#### REGIONAL HOUSING NEEDS ALLOCATION

A Regional Housing Needs Plan (RHNP) is mandated by the State of California (Government Code Section 65584) for regions to address housing issues and needs based on future growth projections for the area. The RHNP is developed by the Butte County Association of Governments (BCAG) and allocates a "fair share" of regional housing needs to the Cities of Biggs, Chico, Gridley, and Oroville, the Town of Paradise, and unincorporated Butte County. The RHNP not only addresses the immediate needs of each jurisdiction; it also ensures that needs for the entire region are fairly distributed to all communities. A major goal of the RHNP is to ensure that every community provides an opportunity for a mix of affordable housing to all economic segments of its population.

The State Department of Housing and Community Development (HCD) projected a need for 15,506 units in Butte County between December 31, 2021, to June 15, 2030. Over half of these units – 8,803 units or 57 percent of the total allocation – are to rebuild those lost in the 2018 Camp Fire and the remaining 43 percent (6,703 units) are to accommodate regular growth. Units developed after December 31, 2021, will count towards the sixth cycle Regional Housing Needs Allocation (RHNA).

The RHNP determined the Town's "fair share" of the region's projected housing need through June 15, 2030, based on factors like transit connectivity, jobs, wildfire risk, agriculture and forest land preserves, and opportunity.<sup>1</sup> The fire rebuild allocation was assigned separately

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<sup>1</sup> Opportunity was measured through a combination of HCD/TCAC opportunity maps and childhood poverty status.

## 4. RESOURCES

based on each community's proportionate loss of units in the Camp Fire.

The Town of Paradise's total share of the RHNA is 7,179 units, which is approximately 46 percent of the overall regional housing need. A small fraction of the allocated 7,179 units – 376 units or 5 percent – is to accommodate regional growth. Instead, the vast majority of Paradise's allocation – 6,837 units or 95 percent – is the fire rebuild allocation. The Town must demonstrate availability of residential sites at appropriate densities and development standards to accommodate these 7,179 units according to the following income distribution:

- Very Low-income: 383 (5 percent)
- Low-income: 374 units (5 percent)
- Moderate Income: 1,319 (18 percent)
- Above Moderate Income: 5,103 units (71 percent)

The Town identified adequate sites in its 2014–2022 Housing Element. There is no unaccommodated need from the previous cycle that needs to be addressed in this Housing Element.

Table 4-1 identifies the Town's allocation for the current 2022–2030 cycle and how it will meet its RHNA through projected development of accessory dwelling units (ADUs) and anticipated development of single- and multi-family housing on vacant land throughout the town.

### AVAILABLE HOUSING SITES

Over 5,000 acres of land were identified that are both suitable for residential development and constitute realistic sites for residential development. Available sites could yield approximately 9,610 housing units (see Table 4-1). There is adequate capacity on appropriately zoned and designated sites to accommodate Paradise's 2022–2030 RHNA. Figure 4-1 shows the sites identified for residential development. All identified sites are zoned for exclusively residential development.

**TABLE 4-1: SUMMARY OF RESIDENTIAL SITES INVENTORY (2022-2030)**

|   | Very Low     | Low | Mod.         | Above Mod.   | Totals       |
|---|--------------|-----|--------------|--------------|--------------|
| 2022–2030 Allocation                              | 383          | 374 | 1,319        | 5,103        | 7,179        |
| ADUs  | 0            | 16  | 16           | 8            | 40           |
| Single Family Homes and Manufactured Housing      | 274          | 995 | 827          | 4,122        | 6,217        |
| Sewer Service Area Sites                          |              | 175 | 907          | 2,147        | 3,229        |
| Multi-family Sites Outside the Sewer Service Area | 0            |     | 0            | 124          | 124          |
| <b>Total</b>                                      | <b>1,459</b> |     | <b>1,750</b> | <b>6,401</b> | <b>9,610</b> |
| Surplus   | 702          |     | 431          | 1,298        | 2,431        |
| Buffer Percentage                                 | 93%          |     | 33%          | 25%          | 34%          |

Note: The units identified in this table are inclusive of 898 single-family and manufactured homes and 154 multi-family units that are currently in the pipeline. These units have received building permits and will be completed during the planning period. Assumes 50 percent of the very low-income households are extremely low-income households.

The units associated with single-family homes and manufactured housing are inclusive of seven parcels assumed to develop with duplexes.

Source: BCAG 2020; Town of Paradise, 2021.

Sites considered appropriate for residential development include those that are both 1) vacant – either from Camp Fire destruction or those that were previously vacant, and 2) designated or proposed to be designated in the General Plan for residential use and zoned to allow residential development. There are three primary types of sites, as described below:

- **Single-Family Homes Rebuilds and New Construction.** This category includes sites previously developed with single-family homes that were destroyed in the Camp Fire and sites that were previously vacant that are identified for exclusively low-density residential uses, such as sites zoned Agricultural Residential (AR-1, AR-3, AR-5), Rural Residential (RR-1, R-1/2, R-2/3), and Town Residential (TR-1/3, TR-1/2, TR-1). There are over 6,200 sites that were previously developed with single-family homes that were destroyed in the fire. It is assumed that residential uses will return to most of these sites. A portion of these single-family homes will be manufactured housing, which can accommodate lower income households.



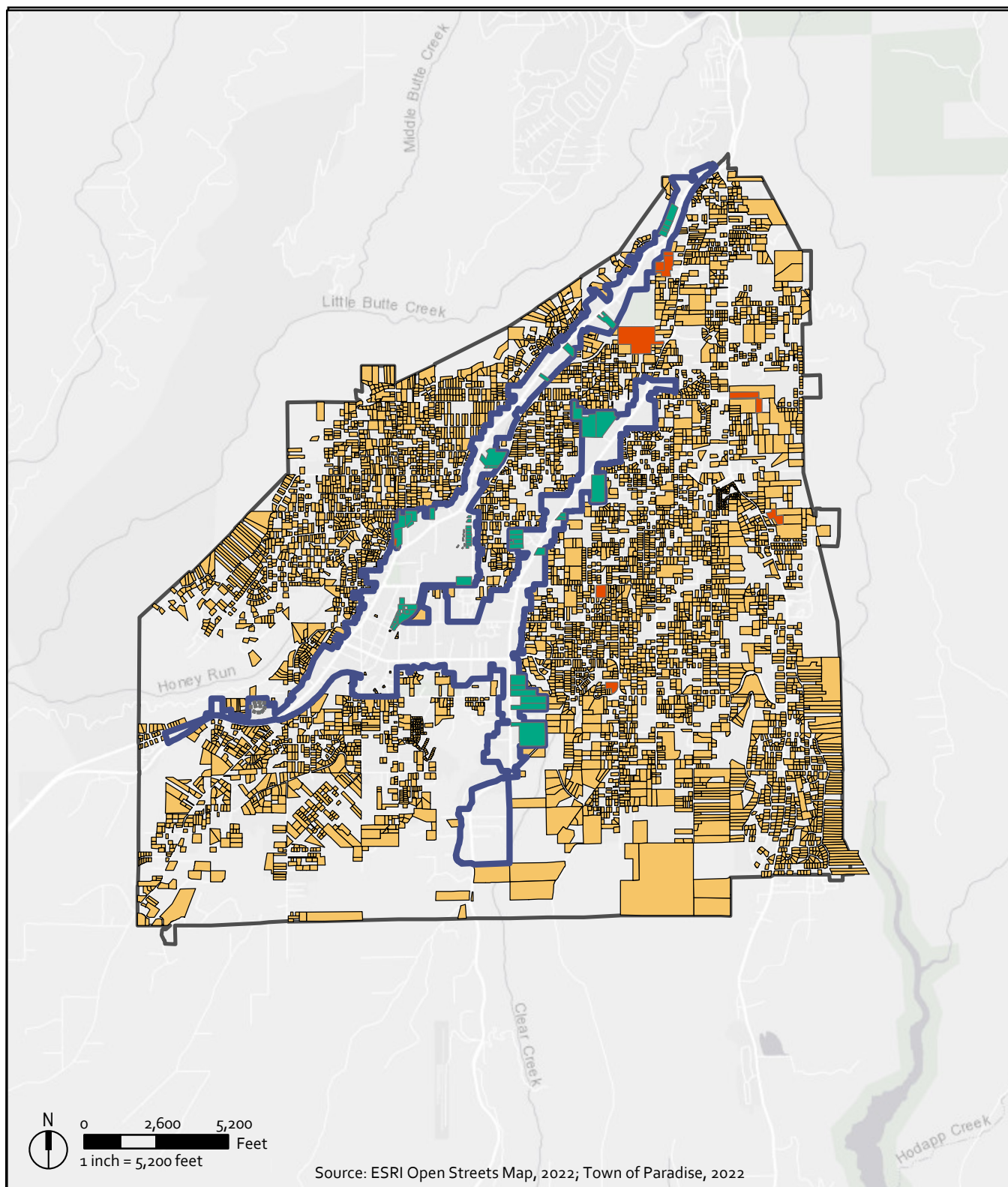


Figure 4-1

Adequate Residential Sites

#### 4. RESOURCES

- **Sewer Service Area Sites.** Sites within the planned sewer service area have been selectively identified for increased densities. Many of the Town’s zoning districts fall within the sewer service area, but a Sewer Service Overlay allowing increased densities would apply on the Multiple-Family Residential (M-F), Central Business (C-B), Community Commercial (C-C), Community Services (C-S), and Community Facilities (C-F) zoning districts. Although residential uses are allowed in all these zones, the sites inventory considers only the capacity associated with sites in the M-F zone, as explained under Assumptions, below. A combination of rezoning and increased densities on these sites are anticipated to accommodate a range of affordability levels and will provide developers with flexibility in determining a range of uses, densities, and unit types.
- **Multi-Family Development Outside the Sewer Service Area.** There are sites zoned for exclusively residential use in the M-F district and for mixed-use residential development that were destroyed in the fire or were previously vacant. These sites are anticipated to develop and/or rebuild but at lower densities than in the sewer area and therefore they are not anticipated to accommodate lower-income units.

Appendix D includes an inventory of each site by assessor’s parcel number, acreage, General Plan land use designation, zoning, realistic unit yield, affordability by income group, and notes regarding the status of each site in terms of vacancy and proposed development. Pursuant to Government Code Section 65583.2(b)(6), sites identified as available for housing for above moderate-income households in areas not served by public sewer systems need not be identified on a site-specific basis. Therefore, Appendix D includes only the sites in the sewer service area. An analysis of the adequacy of the Town’s sites to accommodate extremely low-, very low- low-, moderate-, and above-moderate-income units is provided below. This information is summarized in Table 4-2. (See Table 4-1 for yields from ADUs and single-family and manufactured housing.)

**TABLE 4-2: SUMMARY OF AVAILABLE HOUSING SITES BY ZONING, ACREAGE, AND UNIT YIELD**

| Zoning District                 | Number of Parcels | Acreage       | Realistic Unit Yield |
|---------------------------------|-------------------|---------------|----------------------|
| Above Moderate-Income Units     |                   |               |                      |
| Within Sewer Service Area (SSA) |                   |               |                      |
| MF                              | 143               | 159.35        | 2,143                |
| TR 1/2                          | 1                 | 1             | 2                    |
| TR 1/3                          | 1                 | 2.29          | 2                    |
| <i>SSA Subtotal</i>             | <i>145</i>        | <i>162.64</i> | <i>2,147</i>         |
| Outside SSA                     |                   |               |                      |
| MF                              | 5                 | 12.81         | 114                  |
| TR 1/2                          | 1                 | 3.79          | 2                    |
| TR 1/3                          | 4                 | 37.57         | 8                    |
| <i>Outside SSA Subtotal</i>     | <i>10</i>         | <i>54.17</i>  | <i>124</i>           |
| <b>Above Moderate Subtotal</b>  | <b>155</b>        | <b>216.81</b> | <b>2,271</b>         |
| Moderate-Income Units           |                   |               |                      |
| MF                              | 81                | 101.11        | 907                  |
| <b>Moderate Subtotal</b>        | <b>81</b>         | <b>101.11</b> | <b>907</b>           |
| Lower-Income Units              |                   |               |                      |
| MF                              | 36                | 100.08        | 175                  |
| <b>Lower Subtotal</b>           | <b>36</b>         | <b>100.08</b> | <b>175</b>           |
| <b>Total</b>                    | <b>155</b>        | <b>216.81</b> | <b>3,353</b>         |

Note: Calculations assume rezoning the site of a former church with no plans to rebuild (see Table 4-7). Acreage and parcel subtotals do not equal the grand total since parcels are assumed to develop with a mix of affordability levels.  
Source: Town of Paradise, 2021.

#### MINIMUM DENSITIES FOR EXTREMELY LOW-, VERY LOW-, AND LOW-INCOME

Government Code Section 65583.2(c)(3) requires a jurisdiction to either (1) provide an analysis demonstrating how adopted densities accommodate the need for lower-income households or (2) use default densities deemed appropriate for metropolitan, suburban, and rural areas. Paradise is considered a suburban area, and the default density for lower-income housing needs is 20 dwelling units per acre (du/ac) for suburban areas. Historically, residential projects in Paradise have not been able to develop at densities of 20 du/ac because the lack of municipal wastewater system requires most residences to be on

individual septic systems or to construct clustered or packaged wastewater treatment plants. However, it is anticipated that a sewer system will be constructed during the 2022-2030 cycle, and that densities of 20 du/ac and above could be achieved once the sewer system is established. Therefore, this site inventory utilizes the default density of 20 du/ac as a threshold for when lower-income units are feasible. A sewer overlay zone is proposed in the sewer service area that allows up to 30 du/ac. The Sewer Service Overlay is described more later in this chapter (see *Paradise Sewer Project*).

Outside of the sewer area, multi-family or mixed-use residential development is allowed up to 15 du/ac. It is assumed that these units would hit the above-moderate income RHNA since the default density is not met. See Sewer Alternative above for more information on how the Town can accommodate its RHNA should the sewer system not come to fruition before 2030.

#### EXTREMELY LOW-, VERY LOW-, AND LOW-INCOME SINGLE-FAMILY UNITS

The projected affordability of units built on parcels zoned for single family homes is based on recent trends, as documented in the 2020 Annual Progress Report. Of the 587 building permits issued in 2020 for manufactured homes or single family detached homes, 4.4 percent were for very low-income; 16.0 percent were for low-income; 13 percent were for moderate income; and 66 percent were for above moderate income. The Town used the contract amount for the manufactured homes and the International Code Council (ICC) valuation for the single-family detached homes to determine affordability. See Table 4-3 for this data. Also see the section below on Manufactured Housing for more information about how affordability was assessed.

**TABLE 4-3: SINGLE-FAMILY AND MANUFACTURED HOUSING AFFORDABILITY**

|                |                     | MH  | SFD | Total | %      |
|----------------|---------------------|-----|-----|-------|--------|
| Very Low       | Deed Restricted     | 0   | 0   | 0     | 0%     |
|                | Non-Deed Restricted | 25  | 1   | 26    | 4.4%   |
| Low            | Deed Restricted     | 0   | 0   | 0     | 0%     |
|                | Non-Deed Restricted | 92  | 2   | 94    | 16.0%  |
| Moderate       | Deed Restricted     | 0   | 0   | 0     | 0%     |
|                | Non-Deed Restricted | 57  | 21  | 78    | 13.3%  |
| Above Moderate |                     | 11  | 378 | 389   | 66.3%  |
| Total          |                     | 185 | 402 | 587   | 100.0% |

Source: Town of Paradise, 2020.

## REALISTIC UNIT YIELD

### ASSUMPTIONS

A number of assumptions, varying by zoning district and unit type, were made to determine the realistic unit yield anticipated for individual parcels. These assumptions were based on discussions with developers and Town staff as well as a review of permitting data.

The Town has seen significant development activity in the wake of the Camp Fire, including 47 multi-family projects of two units or more. As shown in Table 4-4, the yield on the projects ranges from 8 percent to 200 percent. This wide range is likely due to rebuilding like for like on sites where greater intensity is allowed under zoning or projects that were legally non-conforming where such intensity is not allowed under current zoning.

As shown in Table 4-4, recent multi-family development has occurred on sites ranging from 0.19 acres to 4.72 acres with an average site acreage of 1.45. The range of acreages indicates that development is feasible on smaller sites.

The average yield across all residential development is 66 percent. Consistent with these development trends, a yield of 60 percent was conservatively utilized to calculate realistic capacity.

## 4. RESOURCES

**TABLE 4-4 RECENT MULTI-FAMILY PROJECTS**

| APN             | Site Size (Acre) | Zoning District | Allowed Density (Units) | Unit Count | Yield |
|-----------------|------------------|-----------------|-------------------------|------------|-------|
| 054-090-075-000 | 3.3              | MF              | 50                      | 56         | 113%  |
| 053-120-062-000 | 0.48             | MF              | 7                       | 4          | 56%   |
| 053-132-080-000 | 2.18             | MF              | 33                      | 4          | 12%   |
| 053-132-079-000 | 3.27             | MF              | 49                      | 4          | 8%    |
| 052-211-045-000 | 0.43             | CC              | 4                       | 4          | 93%   |
| 053-132-080-000 | 2.18             | MF              | 33                      | 16         | 49%   |
| 053-132-079-000 | 3.27             | MF              | 49                      | 12         | 24%   |
| 052-212-023-000 | 0.33             | TR 1/3          | 3                       | 3          | 100%  |
| 054-380-001-000 | 2.11             | CS              | 32                      | 36         | 114%  |
| 054-182-079-000 | 1.01             | MF              | 15                      | 2          | 13%   |
| 054-171-132-000 | 1.05             | MF              | 16                      | 2          | 13%   |
| 051-220-065-000 | 1.94             | MF              | 29                      | 24         | 82%   |
| 052-213-011-000 | 0.68             | TR 1/3          | 3                       | 4          | 133%  |
| 052-250-002-000 | 0.47             | TR 1/3          | 3                       | 4          | 133%  |
| 054-182-071-000 | 1.0              | MF              | 15                      | 2          | 13%   |
| 054-090-057-000 | 2.45             | MF              | 37                      | 28         | 76%   |
| 051-220-069-000 | 1.4              | MF              | 21                      | 4          | 19%   |
| 052-233-010-000 | 0.19             | TR 1/3          | 3                       | 2          | 67%   |
| 052-160-018-000 | 3.19             | MF              | 48                      | 10         | 21%   |
| 054-182-078-000 | 1.18             | MF              | 18                      | 4          | 23%   |
| 054-182-077-000 | 1.18             | MF              | 18                      | 2          | 11%   |
| 053-120-081-000 | 1.87             | MF              | 28                      | 4          | 14%   |
| 051-163-005-000 | 0.62             | CC              | 6                       | 7          | 113%  |
| 054-182-081-000 | 1.01             | MF              | 15                      | 4          | 26%   |
| 053-120-076-000 | 3.24             | MF              | 49                      | 8          | 16%   |
| 053-131-080-000 | 0.28             | MF              | 4                       | 2          | 48%   |
| 053-131-081-000 | 0.22             | MF              | 3                       | 2          | 61%   |
| 053-131-082-000 | 0.22             | MF              | 3                       | 2          | 61%   |
| 053-131-083-000 | 1.71             | MF              | 26                      | 10         | 39%   |
| 051-132-118-000 | 0.36             | TR 1/2          | 1                       | 2          | 200%  |
| 053-120-080-000 | 4.72             | MF              | 71                      | 8          | 11%   |
| 054-141-073-000 | 0.53             | TR 1/3          | 3                       | 2          | 67%   |
| 053-120-071-000 | 2.65             | MF              | 40                      | 6          | 15%   |
| 054-131-026-000 | 1.35             | TR 1/2          | 2                       | 2          | 100%  |
| 053-170-146-000 | 0.9              | TR 1/2          | 2                       | 2          | 100%  |
| 052-080-006-000 | 2.22             | CS              | 33                      | 4          | 12%   |

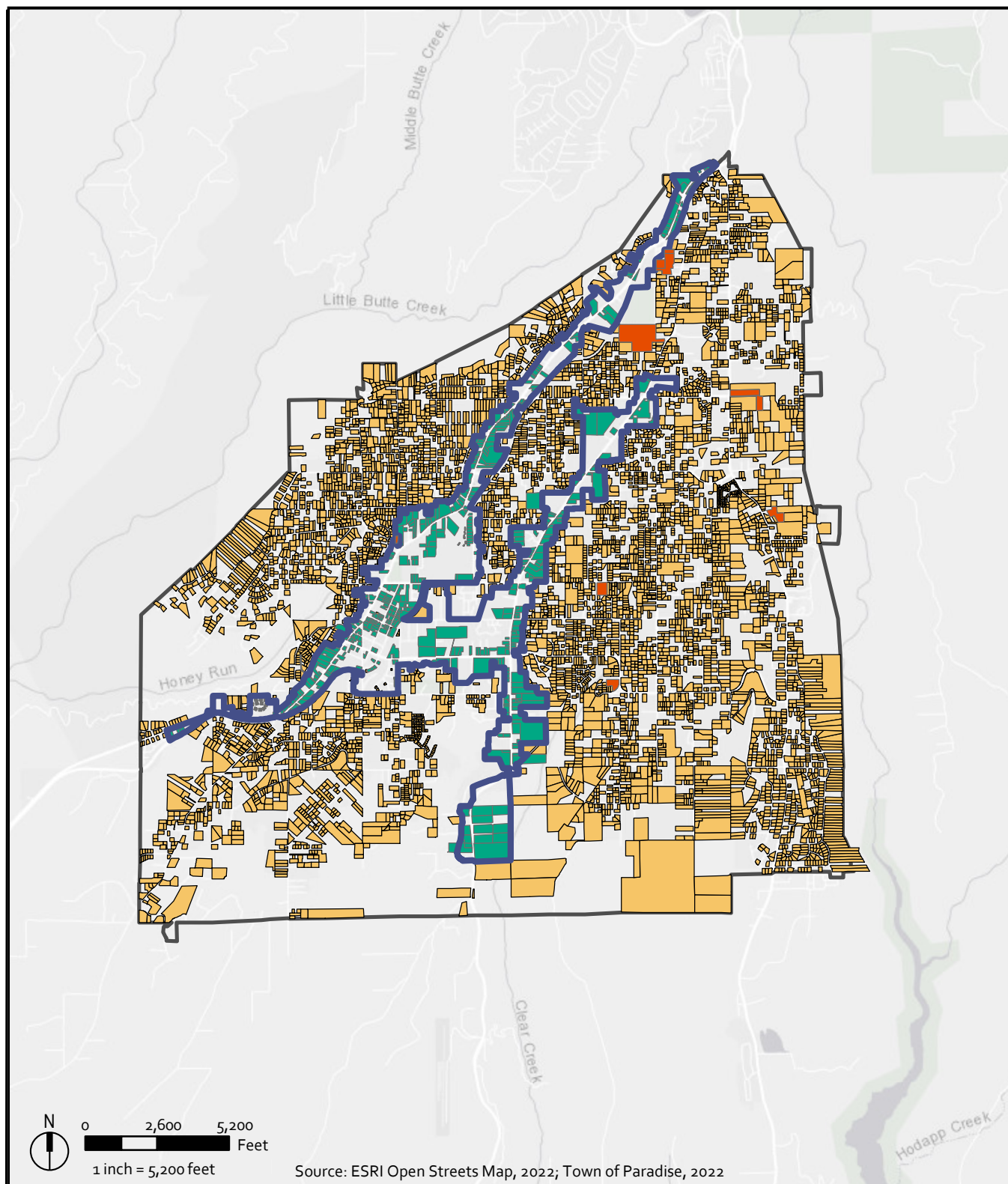
| APN                  | Site Size (Acre) | Zoning District | Allowed Density (Units) | Unit Count | Yield      |
|----------------------|------------------|-----------------|-------------------------|------------|------------|
| 053-120-080-000      | 4.72             | MF              | 71                      | 10         | 14%        |
| 053-120-073-000      | 1.23             | MF              | 18                      | 2          | 11%        |
| 052-182-050-000      | 0.77             | TR 1/3          | 3                       | 6          | 200%       |
| 053-120-052-000      | 1.62             | MF              | 24                      | 12         | 49%        |
| 053-103-025-000      | 0.68             | CC              | 7                       | 4          | 59%        |
| 051-164-033-000      | 0.24             | TR 1/3          | 2                       | 2          | 100%       |
| 053-162-008-000      | 0.68             | TR 1/3          | 3                       | 4          | 133%       |
| 053-120-008-000      | 1.25             | MF              | 19                      | 16         | 85%        |
| 054-164-026-000      | 0.56             | TR 1            | 1                       | 2          | 200%       |
| 053-120-039-000      | 0.3              | TR 1/3          | 2                       | 2          | 100%       |
| 054-152-068-000      | 1.01             | TR 1/2          | 2                       | 2          | 100%       |
| <b>Average Yield</b> |                  |                 |                         |            | <b>66%</b> |

Source: Town of Paradise, 2020.

Although residential units have been developed on sites in the CC and CS zones, there is not a strong history of developing vertical mixed-use in Paradise. When looking at all development that has occurred in commercial zones where residential is also allowed (e.g., C-B, C-C, C-S), only 17 percent of projects included residential units. As the sewer comes in, there will be greater opportunity to do vertical mixed-use projects given increased density and Town programs to create a more walkable downtown core. However, given the lack of historic data to substantiate development on non-residential parcels, these parcels are not included in the realistic capacity calculations.

Figure 4-2 illustrates all parcels where residential development *could* occur. The Town seeks to facilitate residential development on many of these parcels in the downtown area through the sewer service area overlay zone. If residential units are added to the C-B, C-C, C-F, and C-S zones at just half the allowed intensity, Paradise would see an additional 1,829 housing units, including 67 units affordable to very low- and low-income households. These units are not included in the sites inventory but further indicate that the Town has adequate land resources to accommodate its RHNA.





- |   |                          |   |   |
|---|--------------------------|---|---|
|  | Town of Paradise         |  | Single-Family Rebuilds/New Construction     |
|  | Proposed Sewer Service   |  | Multi-Family Development Outside Sewer Area |
|  | Sewer Service Area Sites |   |   |

Figure 4-2  
Potential Residential Sites

## 4. RESOURCES

### ACCESSORY DWELLING UNITS (ADUs)

According to the 2020 Annual Progress Report (APR), five ADUs were issued building permits in 2020, which is up from two permits issued in 2019. Previous years did not include any ADU permits. The few ADUs built in the last planning period makes it difficult to extrapolate a trend, but the bump in ADU construction in 2020 suggests a modest trend of increasing ADU production.

Conversations with stakeholders and data collected in the local census survey indicates that ADU construction is not anticipated to substantially increase during this 2022-2030 planning period. When residents were asked if they would consider building a secondary unit for a renter if they had sufficient acreage, less than a third (27 percent) of respondents said yes. Interviews with stakeholders indicate that the current priority for homeowners is building back what they have lost, and this might explain why there is not greater interest in ADUs. However, others thought that ADUs might become more popular for aging in-place or multi-generational families after the initial rebuilding phase is complete. In addition, the Town is currently implementing a program to allow property owners to use a residential floor plan library which utilizes ADU plans that have been mastered, or “pre-approved” to facilitate the construction of ADUs. This program could lead to increased ADU production beyond the modest increases seen in the last period.

To be conservative, this site inventory assumes that ADU production will continue at the same rates historically seen in the town. The inventory assumes production of five ADUs during each year of the planning period at the same affordability rates reported in the 2020 APR (i.e., 40 percent low income, 40 percent moderate income, and 20 percent above moderate income).

### MANUFACTURED HOUSING

Trends from the 2019 and 2020 APRs were utilized to determine how many single-family homes would be developed or rebuilt as manufactured housing. Consistent with the 2019 and 2020 APR data and

consultations with Town staff, approximately 30 percent of single-family homes were assumed to be manufactured housing. The 2021 proportion of manufactured homes of the total single-family homes is lower at 17 percent. Town staff believe this is largely due to impacts on the stock of manufactured units resulting from the Almeda fire in Southern Oregon in the fall of 2020. For the first four months of 2022, the Town has received permit applications for 52 manufactured housing units, which is in line with the volumes in 2019 and 2020.

The affordability of the manufactured housing is determined using the required forms (HCD-433-A and B) that also provide valuation information to the County Assessor and indicate that the manufactured home will be a fixture improvement to the property. The form HCD-433(b) is submitted with the building permit and includes the total sales price for the basic unit, accessories, delivery, and installation. Average cost of the tie-down foundation used by approximately 90 percent of the manufactured homes is about \$2,500. The permit fees are added to the total sales price in order to determine affordability. Almost all of the manufactured homes built following the Camp Fire have been constructed with insurance payouts and therefore do not involve financing costs that would need to be factored into the determination of the affordability.

### LOW DENSITY HOUSING

Two-family residences, or duplexes, are permitted or conditional uses in the Agricultural Residential, Rural Residential, Town Residential, and Community Services zones. Parcels in these zones therefore have a maximum allowed density of two units but could be more likely to develop with a single-family home (i.e., one unit).

It was assumed that any parcel in these lower-density residential zones that was previously developed with a single-family home that was destroyed in the fire would redevelop once again with a single-family home. Additionally, parcels that are under 0.5 acres were also assumed to develop with just one unit. Finally, parcels

in the TR-1 zone and Agricultural Residential zones were assumed to develop with just one unit since a conditional use permit is required for duplexes in these zones. Given these assumptions, it is anticipated that 6,203 single-family homes would develop on approximately 4,790 acres.

Duplexes have historically made up a substantial share of the town's multi-family housing; as of September 22, 2021, 106 units in two-unit buildings had been issued building permits since the fire, which is equivalent to 31 percent of all the multi-family units that have been issued permits and 5 percent of all residential units (both single- and multi-family) that have been issued permits. Of the 3,258 acres zoned for low-density residential where duplexes are allowed by right, just 1.4 percent (44.65 acres) are conservatively assumed to develop with duplexes. Duplexes are assumed to provide 14 units on 7 parcels.<sup>2</sup>

### SMALL AND LARGE SITES

Consistent with HCD guidance, sites less than 0.5 acres were not considered suitable for affordable housing development. However, as illustrated by the recent multi-family projects shown in Table 4-4, residential development has historically occurred on parcels as small as 0.19 acres, with duplexes frequently developing on sites less than 0.3 acres and triplexes and fourplexes occurring on sites between 0.3 and 0.5 acres. The average yield of 66 percent shown in Table 4-4 was inclusive of smaller sites and therefore sites between 0.15 and 0.5 acres were included in the inventory to develop with moderate- and above-moderate income units at only 60 percent of the allowed capacity, consistent with HCD guidance. Per discussion with Town staff, sites less than 0.15 acres were assumed to not develop whatsoever.

Similarly, sites greater than 10 acres are anticipated to develop only with moderate- and above-moderate

income units. Consistent with HCD guidance, the realistic capacity of these sites was evenly split between moderate- and above-moderate income units. There are 4 parcels zoned for multi-family residential development that are greater than 10 acres. It is assumed that 474 moderate- and 474 above-moderate income units could develop on these larger sites, which total 52.81 acres.

These assumptions are conservative, especially given that CDBG-DR funding can be used for scattered site affordable housing developments.

### OTHER ASSUMPTIONS

For unit yield in the M-F zoning district that do not fall into one of the circumstances described above, it was assumed that projects would develop at 60 percent of unit yield to accommodate infrastructure, right-of-way, setbacks, habitat, avoidance of natural resources, and other common site constraints. This capacity calculation is supported by the average yield of 66 percent calculated across 47 recent development projects. It is anticipated that the sewer system will require much less land be dedicated to leach fields and other on-site wastewater provisions and therefore a 60 percent capacity calculation is a conservative estimate. Similarly, in order to not overstate development potential, the total number of units was rounded down for each parcel, so a remainder of 0.01 to 0.99 units was reduced to zero. For example, a parcel that could accommodate 4.65 units was inventoried with only 4 units.

The Town does not have a requirement that mixed-use projects include any residential units. Therefore, it is unlikely that mixed-use projects in commercial zones (e.g., C-B, C-C) will all max out at their allowed residential densities. Permit data from the Town indicates that approximately 17 percent of recent development in the C-C, C-S, and C-B zones have

<sup>2</sup> One of the parcels assumed to accommodate two units is the 25-acre site of the previous Apple Tree Village Mobile Home Park (MHP) (APN 050-150-111-000). The MHP is permitted to return regardless of its underlying zoning given HCD's purview over the park. However, given constraints

outside the Town's control and the absence of an active application, it was assumed that the approximately 160 homes previously at the park would not return during this cycle. This is a conservative estimate and does not indicate that the Town in any way discourages the return of the MHP.

## 4. RESOURCES

included residential units. The sites inventory does not include any residential buildout on these commercial zones. However, as previously mentioned, the Town intends to facilitate vertical mixed-use development on projects in the SSA that are in the C-C, C-S, C-B, and C-F zones. Residential development on these sites where a mix of uses is allowed could result in an additional 1,829 housing units, including 67 units affordable to very low- and low-income households. Chapter 6 includes a program to incentivize the inclusion of residential units in mixed-use projects, since this is currently uncommon but desired to create a more walkable downtown area.

The Town's development standards will accommodate development at the maximum density of 30 du/ac in the M-F and C-B districts within the planned Sewer Service Overlay Zone. Outside of the overlay, the M-F zone and C-B zones will retain their current densities of 15 and 10 du/ac, respectively. The Sewer Service Overlay Zone will also apply to the C-C, C-F, and C-S zones. See Table 4-5 more information on current and proposed development standards. Multi-family uses are not currently allowed in the C-F zones, which is a barrier for public-private partnership that could include affordable housing on publicly owned land. To enable this possibility, the uses in the C-F district would be amended to allow multi-family uses of up to 20 du/ac in the sewer overlay. Multi-family uses in the C-F zone are consistent with the zoning district's intention to provide "private land uses which serve a community purpose or benefit the community."

**TABLE 4-5: SEWER SERVICE OVERLAY DENSITIES**

| Zoning District                | Max. Allowable Density Outside Sewer Overlay | Acreage Outside Sewer Overlay <sup>1</sup> | Max. Allowable Density Inside Sewer Overlay | Acreage Inside Sewer Overlay <sup>2</sup> |
|--------------------------------|--|--|---|---|
| Multi-family Residential (M-F) | 15 du/ac                                     | 12.81                                      | 30 du/ac                                    | 170.19                                    |
| Central Business (C-B)         | 10 du/ac                                     | --   | 30 du/ac                                    | 38.85                                     |
| Community Commercial (C-C)     | 10 du/ac                                     | --   | 30 du/ac                                    | 255.08                                    |
| Community Services (C-S)       | 15 du/ac                                     | --   | 20 du/ac                                    | 56.57                                     |
| Community Facilities (C-F)     | 1 du/ac                                      | --   | 20 du/ac                                    | 17.78                                     |

Notes: Inventory does not include units that could be built in the commercial zones.

<sup>1</sup> Outside the SSA, sites in zones C-B, C-C, C-S or C-F are too small to realistically accommodate units and so acreages are not calculated.

<sup>2</sup> Assumes rezoning of 10 sites in the SSA. See Table 4-7.

Source: Town of Paradise, 2021.

## PARADISE SEWER PROJECT

Since its incorporation in 1979, the Town of Paradise has sought a wastewater treatment solution, with a focus primarily on commercial and densely-populated residential areas — the portions of Paradise most vulnerable to groundwater degradation and economic stagnation due to sewer limitations. The Town researched a clustered wastewater treatment system to serve the Downtown Revitalization Master Plan area, which generally extends from Elliot Road in the north to Pearson Road in the south and from parcels abutting the Skyway to the west to the Paradise Memorial Trail to the east and includes vacant sites zoned C-B and M-F.

In 2020, the Town contracted with HDR, an engineering consulting firm, to prepare an updated assessment of wastewater options. The assessment compared two alternatives for local wastewater treatment and discharge with a regional alternative involving piping wastewater to the Chico Water Pollution Control Plant (WPCP). The regional alternative (now called the Paradise Sewer Project) was recommended because it had the lowest cost, fewer community impacts and probable environmental impacts as well as the simplest operations and most support from the Central Valley Regional Water Quality Control Board. The Paradise Sewer Project is currently undergoing environmental review and certification of the Final Environmental Impact Report is anticipated in 2022. Construction of the sewer is anticipated to end by Fall 2026.

The Paradise Sewer Project will bring many benefits to the region, including wastewater disposal surety to help businesses and jobs return to Paradise and spur on recovery, allow for more densely populated residential development in the Town to help increase affordable housing, and improve Paradise groundwater quality by decreasing septic tank discharges. The areas of town that will be served by the sewer along Skyway and Clark Road are also areas that are easier to protect in a wildfire event given that they have a more traditional street layout compared to some of the areas in town on private, dead-end streets. The sewer service area is also flatter and away from the more treacherous canyons



and creekside areas. The Paradise Sewer Project therefore provides a win-win opportunity to cluster homes in a manner that can increase affordability and safety.

### SEWER SERVICE OVERLAY

As mentioned above, a Sewer Service Area Overlay Zone (or Sewer Service Overlay) would be established to allow higher-density development in the sewer service area. As shown in Table 4-5, the Sewer Service Overlay would apply to parcels with underlying zoning districts of M-F, C-B, C-C, C-S, and C-F. These zones allow more intense development and by allowing increased densities in these zones in the core of town, the Sewer Service Overlay can help the Town achieve its community-driven vision of a more walkable downtown as established in the Long-Term Community Recovery Plan. Chapter 6 includes policies and programs related to implementation of the Sewer Service Overlay.

### SEWER ALTERNATIVE

Although the Town and its partners are pursuing the Paradise Sewer Project in good faith and do anticipate a sewer system being constructed during the 2022-2030 Housing Element period, it is important to plan for a scenario where that does not happen. The uncertainty of obtaining financing, the political circumstances, and project/construction delays are all reasons why it is important to consider how the Town can accommodate its RHNA if the sewer system is delayed or does not come to fruition.

Without a sewer system, the biggest constraint to increased densities for multi-family projects in Paradise is the cost of providing wastewater treatment. Due to Paradise's unique situation as the only moderate-large size incorporated town in California that does not have a public sewer system, it is not appropriate to compare densities of affordable housing in other jurisdictions, such as what HCD's default density for affordable housing suggests.

The Town's current regulations allow densities of up to 15 du/ac for projects using alternative wastewater treatment methods in order to encourage the development of lower-income housing. Previously, the limit was 10 du/ac. Paradise Community Village was the first affordable project proposed with higher densities using alternative wastewater treatment. It has a built density of approximately 14 du/ac and is the only recent tax credit project in the Town (it was originally built in 2013, then destroyed in the fire and is currently being rebuilt like for like). Previous affordable projects have lower densities, ranging from 5.4 to 12.4 du/ac. Interviews with developers, including Community Housing Improvement Program (CHIP) who built Paradise Community Village, indicated that density beyond 15 du/ac is not necessarily needed to build affordable housing. The recent experience of CHIP rebuilding Paradise Community Village indicates that is feasible to provide very low- and low-income units with densities around 15 du/ac.

An alternative sites inventory was conducted that utilized a density of 15 du/ac as the threshold for affordability. In this scenario, the Town's existing density standards were applied (i.e., the densities of 10 du/ac and 15 du/ac that would apply if the SSA Overlay were not applied). Consistent with the assumptions under the sewer scenario, only sites in residential zones were included and a realistic capacity of 60 percent was used to calculate unit yield. Consistent with the sites inventory found in Appendix D, affordable units were only assumed on sites between 0.5 and 10 acres in size and development was not considered feasible on sites less than 0.15 acres. Sites that did not meet the criteria for affordable units were anticipated to develop with a 50/50 mix of moderate- and above-moderate income units.

Table 4-6 shows the unit yields in a scenario without the sewer system and corresponding SSA Overlay. Although this scenario results in fewer units, there are still enough units to accommodate the RHNA and an overall 9 percent buffer. This scenario is the one included in the HCD-required inventory spreadsheet, consistent with HCD guidance to identify the zoning for sites as zoned at the beginning of the planning period.

## 4. RESOURCES

**TABLE 4-6: SUMMARY OF RESIDENTIAL SITES INVENTORY (2022-2030) WITHOUT SEWER SYSTEM**

|  | Very Low     | Low | Mod.         | Above Mod.   | Totals       |
|--|--------------|-----|--------------|--------------|--------------|
| 2022-2030 Allocation                         | 383          | 374 | 1,319        | 5,103        | 7,179        |
| ADUs   | 0            | 16  | 16           | 8            | 40           |
| Single Family Homes and Manufactured Housing | 274          | 995 | 827          | 4,122        | 6,217        |
| Multi-Family Development                     | 75           |     | 476          | 1022         | 1573         |
| <b>Total</b>                                 | <b>1,359</b> |     | <b>1,319</b> | <b>5,152</b> | <b>7,830</b> |
| Surplus                                      | 602          |     | 0            | 49           | 651          |
| Buffer Percentage                            | 80%          |     | 0%           | 1%           | 9%           |

Note: The units identified in this table are inclusive of 898 single-family and manufactured homes and 154 multi-family units that are currently in the pipeline. These units have received building permits and will be completed during the planning period. The units associated with single-family homes and manufactured housing are inclusive of seven parcels assumed to develop with duplexes.  
Source: BCAG 2020; Town of Paradise, 2021.

## REZONING

The sites inventory assumes rezoning 10 parcels in the Sewer Service Overlay Zone, shown in Table 4-7 and included in Program HI-4 of this Housing Element. There are parcels identified to be rezoned to the C-S, C-B, and C-C zones. However, the unit yields from these parcels are not included in the sites inventory.

### SITES IN PREVIOUS HOUSING ELEMENTS

This Housing Element reuses 13 sites that were used in the previous Housing Element 2014-2022. Seven of the previously used sites were reported as nonvacant in the previous housing element and 2008-2014 Element while the other six were vacant in the two previous elements. Since the previous element, all 13 sites are now vacant due to fire destruction. See Table 4-8 for information on these sites.

State legislation requires special treatment for nonvacant sites that are repeated from the 5th cycle housing element and vacant sites that are repeated from the 4th and 5th cycle housing elements. In these cases, the housing element must establish a program to rezone the repeated sites to allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to lower income households. However, the program is not necessary if sites are rezoned to a higher density as part of a General

Plan update. Because all 13 sites are within the Sewer Service Overlay, they are being rezoned per Program HI-4 of this Housing Element. The rezoning is not to accommodate a RHNA shortfall but instead is being done in conjunction with the Town's General Plan update. Because the zoning characteristics and current land uses (i.e., changing from nonvacant to vacant) of the sites have changed, they are considered new sites for the purpose of the Housing Element. Therefore, a program to rezone is not necessary.

## AVAILABLE SITES FOR EXTREMELY LOW-, VERY LOW-, AND LOW-INCOME UNITS

Development of extremely low-, very low-, and low-income units is anticipated to occur in the M-F zone in the Sewer Service Overlay since this zone is for exclusively residential development and accommodates densities of 20 du/ac and above. The Town has approximately 525 acres of available sites that will be in the sewer service area, most of which will be rezoned with the overlay to allow densities up to 20 and 30 dwelling units per acre (see Table 4-5). All of these sites were destroyed in the Camp Fire and now vacant and zoned to allow multi-family development.

Although they are not included in the inventory, sites in the C-B, C-C, C-F, and C-S zones could also develop with housing at densities of 20 du/ac and above. Residential development at only half the allowed intensity on these sites would bring another 67 units of affordable housing to Paradise.

Additionally, a portion (approximately 30 percent) of single-family homes are anticipated to be manufactured housing. According to historical contract amount for the manufactured homes in the town, approximately 20 percent of manufactured homes are affordable to lower-income houses.

Chapter 6 includes programs to encourage lot consolidation, provide incentives for small and infill lot development, establish a Sewer Service Overlay, provide incentives for affordable housing and mixed-use development, and encourage development of extremely low-income units.

TABLE 4-7: SEWER AREA REZONING

| APN             | Address            | Acreage | Current General Plan | Proposed General Plan | Current Zoning | Current Allowed Density | Proposed Zoning | Proposed Density | Notes   |
|-----------------|--------------------|---------|----------------------|-----------------------|----------------|-------------------------|-----------------|------------------|---|
| 052-080-084-000 | Luther Dr          | 0.23    | TR                   | C-S                   | TR 1/3         | 2                       | C-S             | 20 du/ac         | Vacant site that abuts commercial area          |
| 052-080-083-000 | 805 Luther Dr      | 0.48    | TR                   | C-S                   | TR 1/3         | 2                       | C-S             | 20 du/ac         | Vacant site that abuts commercial area          |
| 052-080-090-000 | 806 Luther Dr      | 0.53    | TR                   | C-S                   | TR 1/3         | 2                       | C-S             | 20 du/ac         | Vacant site that abuts commercial area          |
| 052-080-089-000 | 804 Luther Dr      | 0.52    | TR                   | C-S                   | TR 1/3         | 2                       | C-S             | 20 du/ac         | Vacant site that abuts commercial area          |
| 052-080-069-000 | 784 Luther Dr      | 0.31    | TR                   | C-S                   | TR 1/3         | 2                       | C-S             | 20 du/ac         | Vacant site that abuts commercial area          |
| 052-191-009-000 | 3851 Honey Run Rd  | 0.68    | RR                   | CC                    | RR 1/2         | 2                       | C-B             | 30 du/ac         | Vacant site that abuts commercial area          |
| 052-193-017-000 | 3858 Honey Run Rd  | 2.45    | TR                   | CC                    | TR 1/3         | 2                       | C-B             | 30 du/ac         | Vacant site that abuts commercial area          |
| 053-080-038-000 | 1000 Brookwood Cir | 0.51    | TR                   | TC                    | TR 1/3         | 2                       | C-C             | 30 du/ac         | Rezoning supports the previous multi-family use |
| 053-111-034-000 | 931 Elliott Road   | 4.35    | CS                   | M-R                   | C-S            | 15                      | M-F             | 30 du/ac         | Former church site without plans to rebuild     |
| 052-204-001-000 | 5680 Black Olive D | 0.29    | PI                   | C-C                   | C-F            | 1 du/ac                 | C-B             | 30 du/ac         | Vacant site                                     |

Source: Town of Paradise, 2021.

TABLE 4-8: BY-RIGHT REZONING

| APN             | Address                      | Acreage | 2014-2022 Element | 2008-2014 Element | 2022-2030 Housing Element  | Current Zoning | Current Allowed Density | Proposed Zoning | Proposed Allowed Density |
|-----------------|------------------------------|---------|-------------------|-------------------|--|----------------|-------------------------|-----------------|--------------------------|
| 050-070-060-000 | Burdaparadise Ln and Skyway  | 0.41    | Vacant            | Vacant            | Vacant. Proposed for above-moderate income units given size (less than 0.5 acres). | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 053-080-006-000 | Williams and Central Park Dr | 1.89    | Vacant            | Vacant            | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 053-080-005-000 | Williams and Central Park Dr | 1.84    | Vacant            | Vacant            | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 053-080-003-000 | Williams and Central Park Dr | 1.32    | Vacant            | Vacant            | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 053-080-002-000 | Williams and Central Park Dr | 1.84    | Vacant            | Vacant            | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-150-054-000 | Almond St and Elliot Rd      | 1.12    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 054-080-005-000 | Clark Rd and Buschmann Rd    | 4.77    | Vacant            | Vacant            | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-143-002-000 | 5754 Black Olive Dr          | 0.21    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for above-moderate income units given size (less than 0.5 acres). | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-160-016-000 | 5848 Black Olive Dr          | 0.27    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for above-moderate income units given size (less than 0.5 acres). | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-143-010-000 | 57826 Black Olive Dr         | 0.66    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-160-011-000 | 780 Willow St                | 0.52    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-160-013-000 | 759 Willow St                | 2.45    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |
| 052-160-015-000 | 5838 Black Olive Dr          | 3.35    | Non-Vacant        | Non-Vacant        | Vacant. Proposed for lower income units.   | MF             | 15 du/ac                | MF              | 30 du/ac                 |

Source: Town of Paradise, 2021.

### AVAILABLE SITES FOR MODERATE- AND ABOVE-MODERATE INCOME UNITS

Moderate- and above moderate-income units are anticipated to be accommodated by sites that are less than 0.5 acres, sites greater than 10 acres, sites zoned for multi-family development outside of the sewer service area, and/or sites zoned for low-density residential uses (see Table 4-1).

### TOWN OF PARADISE FINANCIAL RESOURCES

#### HOMEBUYER ASSISTANCE

The Town of Paradise offers a deferred loan to eligible first-time home buyers through the Town's First-Time Homebuyer Program (described in Program HI-3). The loan provides a bridge between what borrowers can afford and the amount needed to purchase a home. However, this loan amount is capped and it may not be enough to completely bridge the gap. The loan is secured by a note and a deed of trust on the home. It does not require monthly payments. Repayment of the loan is required when the home is sold, the family stops using it as their principal residence, or title is transferred out of the names of the original borrowers. At the time the loan is repaid, the Town collects its original loan amount, plus interest.

From 2010 to 2015, the Town assisted 133 low to moderate households in Paradise using CDBG and HOME to fund the first-time homebuyer and Owner-Occupied Housing Rehabilitation Programs (see description below). From 2015 to 2021, the Town assisted 66 low to moderate households in Paradise using CDBG and HOME to fund the first-time homebuyer and Owner-Occupied Housing Rehabilitation Programs, and 35 additional families through the CalHome program. The HOME funds had to be used within 12 months of the fire. CalHome, CDBG and HOME funds can be used for households up to 80 percent AMI. CalHome-Disaster Assistance can be used for up to 120 percent AMI.

#### HOUSING REHABILITATION PROGRAM

The Paradise Business and Housing Services Division offers housing rehabilitation programs to town residents through the Owner-Occupied Housing Rehabilitation Program. Loans are available to lower-income Paradise households and cover moderate or substantial rehabilitation to single-family residences for residents who own and live in their home. These programs are funded through HCD in the form of HOME Investment Partnerships Programs and/or the Community Development Block Grant. The purpose of these programs is to maintain the existing housing stock to supply decent housing for low- and very low-income families by providing low-interest or deferred loans to eligible residents.

From 2018 to 2020, the Town issued 19 single-family rehabilitation loans. No loans were made for multi-family housing rehabilitation as only owner-occupied units are eligible. Only one low-income homeowner has been funded through the Town's Owner-Occupied Housing Rehabilitation program in 2020 for home repairs utilizing CDBG and HOME grants. Due to the response and recovery actions necessary for the Town after the 2018 Camp Fire, CDBG activities were on hold for most of the program year as very few homes survived the fire. Direct financial assistance to homebuyers was limited and debris removal/tree removal/general property clean-up was prioritized for most homeowner housing rehabilitation sites. Since the Camp Fire, the highest priority need has been Housing Assistance.

#### PUBLIC/PRIVATE PARTNERSHIP

The Town of Paradise welcomes public/private partnerships with housing and social service agencies. The Town is working with the Community Housing Improvement Program (CHIP) to rebuild Paradise Community Village, which was a 36-unit affordable housing project that was lost in the fire. The Town is also working with Habitat for Humanity to build self-help housing that replaces or adds much-needed low-income units.

The Town is also interested in communicating with any low-income, private developers or social service agencies who might be interested providing the Town with housing and services that benefit the population. Once a sewer is completed, the Town anticipates more opportunities for private/public partnership for affordable housing.

### **COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY (CDBG-DR)**

CDBG-DR is a flexible funding source, and may be spent on a variety of housing, infrastructure and economic revitalization projects and programs. However, per the Federal Register and HUD guidance, the State of California will prioritize housing and housing related needs first.

The California Department of Housing and Community Development (HCD) made \$250,687,114 in allocations available in 2019 CDBG-DR funding to support the Multi-Family Housing Program (MHP) of which \$152,610,073.24 is allocated to jurisdictions within Butte County. The Town's allocation is \$55,906,660. This funding is in response to the State's unmet recovery needs for Federal Emergency Management Agency Major Disaster Declarations DR-4407, which includes the November 2018 Camp Fire. The MHP programs are funded to meet the unmet rental housing need.

MHP projects may include apartment complexes, scattered sites, and mixed-use developments, including large rental project development with units of eight or more, and small rental assistance open to landlords with one to seven units. Eligible activities include reconstruction, rehabilitation, and new housing construction. Eligible projects must serve low- to moderate-income households in affordable housing units. Housing project types include large family, special needs, seniors, supportive housing, and at-high-risk.

### **COMMUNITY DEVELOPMENT BLOCK GRANT**

Since 1994, the Town of Paradise has received an annual allocation of Community Development Block Grant (CDBG) funds from the US Department of

Housing and Urban Development (HUD). This program strives to provide affordable and decent housing, a suitable living environment, and economic opportunities especially for low- to moderate-income (LMI) households and special needs communities. The Town is designated as an entitlement community by HUD, enabling it to be eligible for federal CDBG funds allocated through HUD's Community Planning Development program. These funds will help the Town address the community development objectives outlined by HUD, which include, but are not limited to, affirmatively furthering fair housing, affordable housing activities, public infrastructure and facilities improvements, and public services.

The primary objective for the funding is to develop viable urban communities, principally for low- and moderate-income persons. Eligible CDBG activities include housing assistance programs; public improvement projects, such as parks and infrastructure; land acquisition; business assistance programs that promote economic development; programs that support community organizations that work directly with low- and moderate-income residents; and planning and administration. The Town will receive \$169,740 in CDBG funds for the 2020 program year.

The Town of Paradise will utilize any and all funds available to leverage CDBG funds to make them go as far as possible. The Town has applied for a CalHome grant to assist residents to rebuild their homes after the Camp Fire. CDBG funds will be used to support this effort. The priority needs for the Town are the following, in order:

- Expand and Improve Public Infrastructure and Facilities.
- Public Services and Quality of Life Improvements.
- Affordable Housing Development and Preservation.
- Economic Development Opportunities.

It is estimated that 11,000 homes were destroyed in the 2018 Camp Fire. New housing units is the primary need due to the destruction of most housing units in 2018. The Town of Paradise will utilize any and all funds



## 4. RESOURCES

available to leverage CDBG funds to make them go as far as possible. The Town has applied for a CalHome grant to assist our residents to rebuild their homes after the Camp Fire. CDBG funds will be used to support this effort.

### TENANT-BASED RENTAL ASSISTANCE PROGRAM

The Town introduced a new Tenant-Based Rental Assistance program in 2016 to assist residents with rent payments to allow them to find affordable housing. The program's aim to assist low income or poverty-level families who are unable to afford rent on their own. The goal of the program is to give these families assistance until they are able to afford rent on their own, lifting them out of poverty.

## BUTTE COUNTY AND COMMUNITY PROGRAMS

### SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

The Section 8 Housing Choice Voucher Program provides monthly rental assistance payments to private landlords on behalf of low-income families who have been determined eligible by the Housing Authority. The program's objective is to assist low-income families by providing rental assistance so that families may lease safe, decent, and sanitary housing units in the private rental market. The program is designed to allow families to move without the loss of housing assistance. Moves are permissible as long as the family notifies the Housing Authority ahead of time, terminates its existing lease within the lease provisions, and finds acceptable alternate housing.

The Housing Authority of the County of Butte operates the countywide Section 8 Housing Choice Voucher Program for the county and its incorporated cities. Data at the local level is not available but information from the Housing Authority does provide insight into what resources may be available for residents. Like Paradise, many communities in Butte County were heavily impacted by the 2018 Camp fire and need support. As of 2021, 2,042 families in Butte and Glenn Counties receive tenant-based Section 8 vouchers.

Additionally, the Housing Authority of the County of Butte owns a 12-unit apartment complex in Paradise (Kathy Court Apartments, located at 1561 Kay Court). The units do not fall under any subsidy and are not considered affordable housing, as they are open market units. Their rebuild plans are currently in plan check.

### COMMUNITY ACTION AGENCY OF BUTTE COUNTY

The Community Action Agency (CAA) of Butte County operates a transitional housing program for homeless families with children known as the Esplanade House. The Esplanade House is a transitional housing program designed to provide shelter and essential services for homeless families. The facility houses up to 60 families who live in apartments. The facility was completed in 2004 through the combined efforts of the CAA, the City of Chico, the Esplanade House Children's Fund, the State of California, the Federal Home Loan Bank, and many private donations.

The program offers comprehensive case management and supportive services to families with children. The program provides clients with the necessary tools to become self-sufficient, so the risk of future homelessness is greatly reduced. The Esplanade House is located in Chico. There are no transitional housing programs or emergency shelters for the homeless in Paradise.

### CATALYST WOMEN'S SHELTER

The Catalyst Women's Shelter provides emergency and transitional housing predominantly for abused women and their children. Services are also available for abused men.

## RESOURCES FOR SPECIAL HOUSING NEEDS

Many of the programs discussed in this section are available to assist with addressing special housing needs. Table 4-9 includes a summary of Available Financial Resources, including an indication of those more able to address special needs.

TABLE 4-9: SUMMARY OF FINANCIAL RESOURCES

| Program Name  | Description  | Eligible Activities   | Special Housing Needs |
|---|--|---|-----------------------|
| <b>Federal Programs</b>                                       |  |   |                       |
| Community Development Block Grant (CDBG)                      | Grants available to the Town on a competitive basis for a variety of housing and community development activities. Town competes for funds through the State's allocation process.   | <ul style="list-style-type: none"> <li>- Acquisition</li> <li>- Rehabilitation</li> <li>- Homebuyer Assistance</li> <li>- Economic Development</li> <li>- Homeless Assistance</li> <li>- Public Services</li> </ul> | Y                     |
| Housing Choice Voucher Program                                | Assistance program that provides direct funding for rental subsidies for very low-income families.   | <ul style="list-style-type: none"> <li>- Rental Assistance</li> </ul>   | Y                     |
| Section 202   | Grants to private nonprofit developers of supportive housing for very low-income seniors.  | <ul style="list-style-type: none"> <li>- New Construction</li> </ul>  | Y                     |
| Housing Rehabilitation Program                                | Provides financial assistance to low-income homeowners for health and safety improvements.   | <ul style="list-style-type: none"> <li>- Rehabilitation</li> </ul>  | Y                     |
| <b>State Programs</b>   |  |   |                       |
| Affordable Housing Partnership Program (AHPP)                 | Provides lower interest rate CHFA loans to homebuyers who receive local secondary financing.   | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> </ul>  |                       |
| Home Investment Partnership Program (HOME)                    | Provides grants to local governments and nonprofit agencies, through the State of California, for many homeowner and renter needs.   | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> <li>- Rehabilitation</li> <li>- New Construction</li> <li>- Rental Assistance</li> </ul>   | Y                     |
| Building Equity and Growth in Neighborhoods (BEGIN)           | A State-funded program administered by HCD that provides low- and moderate-income households up to \$30,000 for a down payment.  | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> </ul>  |                       |
| CalHome   | Grants awarded to jurisdictions for owner-occupied housing rehabilitation and first-time homebuyer assistance.   | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> <li>- Rehabilitation</li> </ul>  | Y                     |
| Single-Family Housing Bond Program (Mortgage Revenue Bonds)   | Bonds issued to local lenders and developers so that below market interest rate loans can be issued to first-time homebuyers.  | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> </ul>  |                       |
| Low Income Housing Tax Credits (LIHTC)                        | A 4% annual tax credit that helps owners of rental units develop affordable housing.   | <ul style="list-style-type: none"> <li>- New Construction</li> </ul>  |                       |
| HUD Emergency Shelter Grants (administered through the State) | Competitive grants to help local governments and nonprofits to finance emergency shelters, transitional housing, and other supportive services.  | <ul style="list-style-type: none"> <li>- New Construction</li> <li>- Rehabilitation</li> <li>- Homeless Assistance</li> <li>- Public Services</li> </ul>  | Y                     |
| <b>Local Programs</b>   |  |   |                       |
| First-Time Homebuyer Program                                  | The Town's program provides a deferred loan to eligible first-time homebuyers.   | <ul style="list-style-type: none"> <li>- First Time Homebuyer Assistance</li> </ul>   |                       |
| Rehabilitation Revolving Loan Account                         | The Town has a revolving loan account that can be used to fund housing-related projects.   | <ul style="list-style-type: none"> <li>- Rehabilitation/Reconstruction</li> <li>- Acquisition with Rehabilitation</li> </ul>  | Y                     |
| Tenant-Based Rental Assistance Program                        | The Town's Tenant-Based Rental Assistance program assists residents with rent payments to allow them to find affordable housing.   | <ul style="list-style-type: none"> <li>- Tenant Assistance</li> </ul>   | Y                     |
| <b>Private Resources/Financing Programs</b>                   |  |   |                       |
| California Community Reinvestment Corporation (CCRC)          | Nonprofit mortgage banking consortium designed to provide long-term debt financing for affordable multi-family rental housing. Nonprofit and for-profit developers contact member banks.   | <ul style="list-style-type: none"> <li>- New Construction</li> <li>- Rehabilitation</li> <li>- Acquisition</li> </ul>   | Y                     |
| Federal National Mortgage Association (Fannie Mae)            | <ul style="list-style-type: none"> <li>- Fixed-rate mortgages issued by private mortgage insurers.</li> <li>- Mortgages that fund the purchase and rehabilitation of a home.</li> <li>- Low down-payment mortgages for single-family homes in underserved low-income and minority cities.</li> </ul> | <ul style="list-style-type: none"> <li>- Homebuyer Assistance</li> <li>- Homebuyer Assistance</li> <li>- Rehabilitation</li> <li>- Homebuyer Assistance</li> </ul>  |                       |

## 4. RESOURCES

**TABLE 4-9: SUMMARY OF FINANCIAL RESOURCES**

| Program Name   | Description   | Eligible Activities   | Special Housing Needs |
|--|---|---|-----------------------|
| Freddie Mac Home Works                                 | Provides first and second mortgages that include rehabilitation loan. County provides gap financing for rehabilitation component. Households earning up to 80 percent Median Family Income (MFI) qualify. | - Homebuyer Assistance  |                       |
| Affordable Housing Program<br>(Federal Home Loan Bank) | Loans (and some grants) to public agencies and private entities for a wide variety of housing projects and programs. Participation is by FHLB participating lenders.                                      | - New Construction<br>- Homebuyer Assistance<br>- Rehabilitation<br>- Housing Supportive Services | Y                     |

## OTHER STATE AND FEDERAL PROGRAMS

Other State and Federal financial resources supporting housing activities are listed in Table 4-9.

## INCENTIVES FOR AFFORDABLE HOUSING DEVELOPMENT

In addition to the affordable housing resources listed above, the Town offers incentives to promote the development of housing affordable to very low- and low-income households through its Affordable Housing Incentives/Residential Density Bonus Ordinance, which is contained in Chapter 17.44 of the Paradise Municipal Code. As specified in Chapter 17.44, when a developer proposes to enter into an agreement to provide affordable housing pursuant to Government Code Section 65915, the developer is eligible for a housing density bonus and/or incentives if the housing development consists of five or more units.

Any person requesting a housing density bonus or incentives must apply for a development agreement with the Town. A housing density bonus or incentives are granted by approval of the development agreement, which specifies the density bonus and/or incentives and any conditions attached to the approval of the bonus and/or incentive.

The developer may specify the housing density bonus or incentives requested; however, the Town may agree to provide a housing density bonus or incentives other than those requested, as long as such housing density bonus or incentives meet the requirement set forth in

California Government Code Section 65915 et seq. and such action is determined to be consistent with the Housing Element of the Paradise General Plan.

## EXISTING AFFORDABLE HOUSING UNITS

Using many of the resources described above, the Town has been able to create affordable housing units. In addition, many units meet affordability criteria due to their reduced cost or small size. Table 4-10 below lists the existing affordable housing units that are deed restricted.

## QUALIFIED HOUSING ENTITIES

Housing element law states that the Housing Element must identify public and private nonprofit corporations known to the local government which have legal and managerial capacity, and interest in acquiring and managing assisted housing developments. HCD maintains a list of qualified entities who are interested in purchasing government-subsidized multi-family housing projects. The current list of qualified entities for Butte County includes:

- Sandidge and Associates
- Christian Church Homes of Northern California, Inc.
- Community Housing Improvement Program, Inc.
- Housing Authority of the County of Butte
- Northern Valley Catholic Social Service
- ROEM Development Corporation



TABLE 4-10: EXISTING DEED RESTRICTED AFFORDABLE HOUSING UNITS

| Name                       | Address              | Program   | Deed Restriction<br>Affordability<br>Expiration Date | Units     |
|----------------------------|----------------------|---|--|-----------|
| Paradise Gardens III       | 1040 Buschmann Rd    | USDA Rural Development Multi-Family Housing Rental<br>(Section 515); Section 8 Project-based HAP Senior Housing<br>(515/8 NC) | TBD  | 48        |
| 4758 Skyway                | 4758 Skyway          | Density Bonus   | 1/15/2045  | 3         |
| Paradise Community Village | 1001 Village Parkway | Low-Income Housing Tax Credit (LIHTC)   | 2041   | 36        |
| <b>Total</b>               |                      |   |  | <b>87</b> |

#### 4. RESOURCES

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## CHAPTER 5 | EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

Accomplishments under the 2014–2022 Housing Element are evaluated in this chapter in order to determine the effectiveness of the previous Housing Element, the Town’s progress in implementing the 2014–2022 Housing Element, and the appropriateness of the housing goals, objectives, and policies. This evaluation is conducted pursuant to Government Code Section 65588.

### REVIEW OF THE PREVIOUS HOUSING ELEMENT

The 2014–2022 Housing Element program strategy focused on the accomplishment of policies and the implementation of programs to encourage the production of new housing, including affordable and special needs housing, to encourage the rehabilitation of existing housing, and to provide housing opportunities for seniors, disabled persons, and large families through provision of appropriate programs and removal of constraints to development of units appropriate for these populations.

The 2014–2022 Housing Element identified quantified objectives for the construction and rehabilitation of housing units. These objectives are compared to achievements in Table 5-1. As shown in Table 5-1, the Town met the new construction objectives, largely due to the rebuilding efforts following the 2018 Camp Fire. The loss of housing units in the Camp Fire is not required to be included in this comparison.

Table 5-2 identifies implementation measures provided in the 2014–2022 Housing Element, describes the results of each program, and recommends whether each policy or implementation program should be kept, modified, or removed in this update.

As described in Table 5-2, the Town had varied results with the programs in the 2014–2022 Housing Element and took steps to reduce constraints to the provision of housing, particularly affordable and special needs housing, and approved the development of a number of affordable units, as well as to bring the Town’s Zoning Ordinance into compliance with State housing law.

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-1: COMPARISON OF OBJECTIVES AND ACHIEVEMENTS**

| Unit Type             | 2014-2022 Objectives | Achievements (through 2020) |
|-----------------------|----------------------|-----------------------------|
| New Construction      |                      |                             |
| Extremely Low         | 2                    | 52                          |
| Very Low Income       | 40                   |                             |
| Low Income            | 40                   | 312                         |
| Moderate Income       | 80                   | 237                         |
| Above Moderate Income | 250                  | 745                         |
| Total                 | 412                  | 1,346                       |
| Rehabilitation        |                      |                             |
| Extremely Low Income  | 5                    |                             |
| Very Low Income       | 25                   |                             |
| Low Income            | 25                   | 36                          |
| Moderate Income       | 0                    |                             |
| Above Moderate Income | 0                    |                             |
| Total                 | 55                   | 36                          |
| Preservation          |                      |                             |
| Very Low/Low          | 48                   |                             |

Source: Housing Element Annual Progress Reports, 2015-2020.

## APPROPRIATENESS OF HOUSING ELEMENT

The 2014–2022 Housing Element includes policies and programs that have been implemented, as well as several outdated measures that do not reflect current housing needs. As discussed in Table 5-2, the majority of policies and programs continue to be appropriate and will either be kept in the Housing Element and revised to address identified housing needs, constraints, or other concerns or maintained without significant revision. Some policies and programs are redundant and will be revised to be more concise. The Housing Plan will also be revised to provide clearly stated goals and to associate policies and programs with the most relevant goals. Quantified objectives will be provided for each program. See Chapter 6 for the goals, policies, and programs of this Housing Element.

TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program   | Status of Program Implementation   | Continue/Delete/Modify   |
|---|--|--|
| <p><b>HI-1 REDUCE INFRASTRUCTURE CONSTRAINTS TO DEVELOPMENT</b></p> <p>Continue to reduce infrastructure constraints to new development, particularly those constraints associated with wastewater disposal. The General Plan authorizes an ongoing identification of infrastructure and service limitations including those related to sanitary waste disposal which inhibit housing development.</p> <ul style="list-style-type: none"> <li>The Town will identify programs and resources to address short- and long-term needs while continuing to investigate potential state/federal funding sources. Programs evaluated each year will be identified in the Annual Housing Report (see HI-10). Based on this evaluation, the Town will update the Onsite Manual for the Disposal of Wastewater if needed.</li> <li>The Town will analyze other areas of town with significant high-density residential development potential and determine areas where clustered wastewater treatment systems may be feasible. (2015–2016)</li> <li>The Town will seek funding through available infrastructure, water quality, and wastewater treatment programs to fund the research and development of additional alternative wastewater treatment systems. Potential funding sources for wastewater treatment or infrastructure serving affordable housing include the Small Community Wastewater Grant Program, Infrastructure State Revolving Loan Fund, and Infill Infrastructure Grant Program. Recognizing that available funding sources will change from time to time, the Town will regularly check state grant programs offered by the Department of Health and Human Services, State Water Resources Control Board, Infrastructure and Economic Development Bank, and Department of Housing and Community Development and will aggressively seek funding for alternative wastewater treatment when grant funds are available. (annually and ongoing)</li> </ul> <p>Responsible Party: Community Development Departments<br/> Funding Source: General Fund<br/> Implementation Schedule: Ongoing – timing for specific actions indicated in parentheses<br/> Expected Results: None quantified</p> | <p><u>Status:</u> In March 2021, the LEAP Grant (Local Early Action Planning) was executed with HCD to fund the digital archiving of septic installation maps to be made available to the public which will show property pre-approvals for number of bedrooms and square footage. In addition, archived land use entitlements will be digitized and made available to the public to see existing residential development approvals. Both of these actions will help reduce constraints associated with wastewater as it provides preapproval information to help accelerate the purchase and development of residential parcels in Town.</p> <p>In 2020, the Town contracted with HDR, an engineering consulting firm, to prepare an updated assessment of project options. The assessment compared two alternatives for local wastewater treatment and discharge with a regional alternative involving piping wastewater to the Chico Water Pollution Control Plant (WPCP). The regional alternative was recommended because it had the lowest cost, community impacts, probable environmental impacts as well as the simplest operations and most support from the Central Valley Regional Water Quality Control Board. The Town is now moving forward with preparation of a full Environmental Impact Report (EIR) to provide further information on sewer project alternatives.</p> <p>The Town allows for the application of planned developments to accommodate smaller lot sizes while providing open space for constrained areas as well as clustered wastewater treatment facilities for the development. Reductions in sewage disposal setbacks also reduce constraints to development. Deferral of frontage improvements (through covenants) for projects also helps encourage the development of special needs housing.</p> <p><u>Effectiveness:</u> This program has been effective.</p> | <p>Modify to reflect current conditions and remove anything addressed by the revisions to the Town's Onsite Manual for the Disposal of Wastewater and continue</p> |

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS**

| Program   | Status of Program Implementation   | Continue/Delete/Modify   |
|---|--|--|
| <p><b>HI-2 AFFORDABLE HOUSING RESOURCES</b></p> <p>Continue to promote affordable housing by working with and assisting developers who are interested in producing affordable housing and by providing staff support, identifying available resources, supporting funding applications, and providing funding when available. The Town will take the following actions:</p> <ul style="list-style-type: none"> <li>Coordinate a housing stakeholders group that includes affordable housing developers, which will meet annually to identify potential housing projects, including affordable new construction, special needs housing, and first-time homebuyer assistance, and prioritize potential funding efforts.</li> <li>Annually encourage nonprofit sponsors to make application to state and federal agencies for affordable senior citizen and/or disabled rental housing.</li> <li>Continue to seek funding for affordable housing rehabilitation and new construction that ensures that a variety of populations are addressed (e.g., once one project is funded, support a different type of project in the next funding round). The approach should maximize the Town's available funding resources, prioritize projects that will be very competitive in the funding process, support new construction for a variety of affordable housing needs, and be based on the interest of developers in providing specific housing types.</li> <li>Continue to pursue various housing program grants to fund down payment assistance to lower-income households, including extremely low-income first-time homebuyers. Continue to fund down payment assistance programs with CDBG, HOME, and CalHOME funds, when feasible and appropriate.</li> <li>Prepare a brochure identifying affordable housing resources and incentives and provide the brochure to development applicants interested in affordable and/or multi-family housing.</li> <li>Consider allocating CDBG funds, when available and appropriate, to assist with preparation of HOME applications and other applicable state and federal program applications in support of affordable housing projects.</li> <li>Annually seek funding from CalHOME and other programs to augment the Town's funding sources. If multiple projects request funding assistance, projects providing at least 25 percent of the units for extremely low- or very low-income households will receive priority for funding assistance.</li> </ul> <p>Responsible Party: Housing Services staff<br/> Funding Source: Restricted grant funds; CDBG; CalHOME, HOME<br/> Implementation Schedule: Stakeholders group formed by December 2015; funding approach and strategy established by March 2016; annual funding applications; pursue</p> | <p><u>Status:</u> Approved float loan for the CHIP affordable housing fire rebuild (CHIP didn't end up needing loan).</p> <p>The Town adopted guidelines in 2016 for a new Tenant Based Rental Assistance Program utilizing HOME grant funds for low-income households and utilized \$7,700 for 2017 applicants and \$2,961 for 2018 applicants.</p> <p>A Development Impact Fee deferral program has been implemented for development applications, including those building affordable and/or multi-family housing.</p> <p>On June 14, 2013, the Town of Paradise was awarded a \$1.7 million CalHOME grant for mortgage assistance to first-time low-income homebuyers. The Town extended \$1,020,384 in loans to 26 first-time homebuyers during 2015-2020. The Town has also assisted 18 additional households with \$671,200 in loans from CDBG and HOME between 2015 and 2021.</p> <p><u>Effectiveness:</u> This program has been effective in acquiring new funding for down payment assistance and assistance for home repairs or reconstruction and will be continued.</p> | <p>Modify to include content of Program HI-13 and continue. Modify to talk about CDBG-DR OOR funding opportunities (+/- 3rd QTR 2021) for SFR &amp; MF housing which the Building &amp; Housing Division will be helping get applicants qualified for.</p> <p>Business &amp; Housing also has secured fire rebuild money (10s of millions) that has to spent within 3 years.</p> |

TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program   | Status of Program Implementation  | Continue/Delete/Modify  |
|---|---|---|
| <p>down payment assistance funding starting in 2014 and ongoing throughout planning period.</p> <p>Expected Results: 25 affordable family units; 15 senior or disabled units</p>  |   |   |
| <p><b>HI-3 AFFORDABLE HOUSING INCENTIVES</b></p> <p>Provide incentives through project processing and development regulations to promote extremely low-, very low-, and low-income and special needs housing. These incentives will include:</p> <ul style="list-style-type: none"> <li>▪ Expedited processing and approvals for such projects, without jeopardizing environmental quality or the integrity of the overall goals, objectives, and policies of the General Plan.</li> <li>▪ Additional reduction in development standards, such as setbacks, floor area ratios, and lot coverage requirements. Additional incentives will be identified for development of small lots with extremely low-, very low-, and low-income housing and for development of single-room occupancy (SRO) projects.</li> <li>▪ Continue to require only the minimum design standards for housing construction and provide engineered specifications and a residential construction guide to interested builders and property owners.</li> <li>▪ Identify cost-saving and innovative development approaches that may assist developers in providing affordable housing and developing projects at or near maximum densities.</li> <li>▪ Support funding applications in conjunction with HI-2.</li> <li>▪ The incentives will be described in the brochure prepared under HI-2.</li> </ul> <p>Responsible Party: Housing Services and Community Development Department</p> <p>Funding Source: General Fund; CDBG</p> <p>Implementation Schedule: Additional incentives identified by December 2014; brochure prepared by March 2015</p> <p>Expected Results: 25 affordable family units; 15 senior or disabled units (in conjunction with HI-2)</p> | <p><u>Status:</u> Issued building permits in 2019 for a 56-unit senior apartment complex through a density bonus executed with the Town in 2018, which through the small nature of the units (+/- 425 sq ft/unit) will result in affordability.</p> <p>In 2017 issued a Certificate of Occupancy for a 14-unit apartment complex including 3 deed-restricted affordable units approved through a density bonus executed with the Town.</p> <p>In 2016 approved a land use entitlement which included provisions for the execution of a density bonus that could result in up to 7 deed-restricted affordable units.</p> <p>Affordable housing incentive regulations are in place, promoting density bonuses for housing projects that include affordable housing units.</p> <p><u>Effectiveness:</u> This program is considered to be important for the production of affordable housing and as such will be continued.</p> | Continue  |
| <p><b>HI-4 DENSITY BONUS</b></p> <p>Revise the density bonus ordinance (Chapter 17.44) to be consistent with Government Code Sections 65915 and 65917. The ordinance will also identify incentives for affordable housing development.</p> <p>Develop a density bonus brochure that describes how the density bonus program is implemented (e.g., increase in density provided for specific affordability levels), including examples of incentives that an affordable housing project can request, and</p>   | <p><u>Status:</u> Zoning ordinance amendments consistent with GC Sections 65915 &amp; 65917 were adopted and implemented in January 2015. Density bonuses currently in-place for multi-family projects utilizing clustered wastewater treatment.</p> <p>Density bonuses were granted for a 56-unit senior apartment development in 2018, a conversion of a motel into studio apartments with density bonus in 2016, and for</p>   | Modify to call for revisions to the existing density bonus ordinance (Chapter 17.44 of Municipal Code) to comply with Government Code Sections 65915 and 65917, retain call for brochure with incentive examples, and continue. |



## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS**

| Program   | Status of Program Implementation  | Continue/Delete/Modify   |
|---|---|--|
| <p>provides several examples of development projects with various levels of affordability, the associated density bonus, and the resultant project.</p> <p>Responsible Party: Community Development Department</p> <p>Funding Source: General Fund</p> <p>Implementation Schedule: Chapter 17.44 revised by February 2016</p> <p>Expected Results: None quantified</p>  | <p>a 14-unit apartment development in 2015.</p> <p><u>Effectiveness:</u> This program has been effective and will be continued.</p>   |  |
| <p><b>HI-5 PUBLICLY OWNED LANDS INVENTORY</b></p> <p>Continue to maintain an inventory of publicly owned land in the town and its sphere of influence for potential housing sites.</p> <p>Responsible Party: Community Development Department</p> <p>Funding Source: General Fund</p> <p>Implementation Schedule: 2014; updated biannually</p> <p>Expected Results: None quantified</p>   | <p><u>Status:</u> No new public lands acquired resulting in new housing opportunities since an inventory was compiled in 2009.</p> <p>No new public lands have been acquired that resulted in new housing opportunities since an inventory was compiled in 2009.</p> <p><u>Effectiveness:</u> The Town continues to maintain the publicly owned lands inventory.</p>  | Continue   |
| <p><b>HI-6 HOUSING AUTHORITY</b></p> <p>Support the Housing Authority's continued implementation of the conventional Public Housing Rental Program and the Housing Choice Voucher program, which provides rent subsidies directly to participants' landlords, and support that agency's attempts to secure additional funding for expanded programs.</p> <p>Responsible Party: Community Development Department; Housing Services staff</p> <p>Funding Source: General Fund</p> <p>Implementation Schedule: 2014 and ongoing</p> <p>Expected Results: None quantified</p>   | <p><u>Status:</u> Ongoing directive; ongoing implementation.</p> <p><u>Effectiveness:</u> The Town's Housing Supervisor sits on the board as a public member and therefore is kept current with the Housing Authority's needs.</p> <p>Town staff responds to all housing complaints filed by the Housing Authority, if and when any complaints are filed. This is an effective program and will be continued.</p>   | Modify to clarify language and update name of program to Housing Choice Voucher program and continue |
| <p><b>HI-7 SMALL LOT CONSOLIDATION AND DEVELOPMENT</b></p> <p>Continue to encourage consolidation of small multi-family parcels as well as small, commercially designated parcels <b>appropriate for residential use.</b></p> <ul style="list-style-type: none"> <li>Encourage parcels aggregated to make up Sites A, B, C, D, and E (see Figure 4-1) to be planned as single sites that can produce at least 24 units per site.</li> <li>Provide incentives to encourage owners of small, contiguous parcels appropriate for affordable housing, including those parcels in Sites A, B, C, D, and E, to consolidate lots.</li> <li>Inform owners of parcels in Sites A, B, C, D, and E of available incentives for lot consolidation and encourage owners to take advantage of such incentives.</li> <li>Assist affordable housing developers with the purchase and consolidation of small, contiguous parcels by providing staff assistance and financial assistance, when</li> </ul> | <p><u>Status:</u> On-going directive. Opportunities for small lot consolidation did not present themselves during this Housing Element cycle.</p> <p>The Town continues to look for opportunities to implement this program. No applications for development have been submitted on Sites A, B, C, D, or E during the planning period.</p> <p><u>Effectiveness:</u> Although no lots consolidated to date, opportunities may arise as owners decide whether to rebuild or sell.</p> | Continue   |

TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program  | Status of Program Implementation   | Continue/Delete/Modify |
|--|--|------------------------|
| <p>available through CDBG, HOME, or other appropriate funds.<br/> Responsible Party: Community Development Department<br/> Funding Source: General Fund<br/> Implementation Schedule: Zoning Ordinance revised and small lot owners contacted by December 31, 2015.<br/> Expected Results: None quantified</p>   |  |                        |
| <p><b>HI-8 PROMOTE SECOND UNITS</b></p> <p>Continue to encourage development of affordable second units by:</p> <ul style="list-style-type: none"> <li>Preparing a Second Units Handbook that provides prototypes preferred by the Town for second units that can be approved with minimal planning and building review. Prototypes should be provided for accessible second units, as well as two-story second units. The handbook will identify incentives for development of affordable second units, including expedited processing, and explain affordability and monitoring requirements.</li> <li>Publicizing the Town's Second Unit Program through handouts available at Town Hall and on the Town's website.</li> </ul> <p>Responsible Party: Housing Services staff<br/> Funding Source: General Fund<br/> Implementation Schedule: Handouts made available at Town Hall and website by December 2014; handbook developed by December 2015<br/> Expected Results: None quantified</p> | <p><u>Status:</u> Grant funding was secured in 2020, through the Wildfire Resiliency &amp; Planning Grant, that will fund the creation of an ADU handbook and mastered ADU plans (built to 2019 CBC) scheduled for 2021. The mastered ADU plans will also be updated in 2022 to comply with building code updates.</p> <p><u>Effectiveness:</u> Implementation is underway, additional promotion will occur after the handbook and plan mastering are completed. This program will be continued.</p> | Continue               |
| <p><b>HI-9 ADDRESS DISCRIMINATION</b></p> <p>The Town's Housing and Business Services Division will continue to provide filing information and direct residents with discrimination complaints to the California Department of Fair Employment and Housing and/or the US Department of Housing and Urban Development. Fair housing/nondiscrimination requirements will continue to be posted at Town Hall and other public facilities. A log of all complaints will be kept and total complaints will be reported in the Annual Report (HI-10).<br/> Responsible Party: Housing Services staff<br/> Funding Source: General Fund<br/> Implementation Schedule: Handouts made available at Town Hall and website by December 2014<br/> Expected Results: None quantified</p>  | <p><u>Status:</u> On-going directive. Fair housing/non-discrimination requirements are posted at Paradise Town Hall. No fair housing complaints were filed with the Town during 2014-2020.</p> <p><u>Effectiveness:</u> This program has been effective in providing filing information. This program is considered to be necessary and will be continued.</p>   | Continue               |
| <p><b>HI-10 ANNUAL REPORT</b></p> <p>Provide an Annual Report to the Town Council and Planning Commission that describes (1) implementation of Housing Element programs to date, (2) the amount</p>  | <p><u>Status:</u> Implemented and ongoing.</p> <p><u>Effectiveness:</u> This is an effective program and will be continued.</p>  | Continue               |

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS**

| Program  | Status of Program Implementation  | Continue/Delete/Modify |
|--|---|------------------------|
| <p>and type of housing activity as related to the Housing Element's goals, policies, and programs, and (3) an updated summary of the Town's housing needs. The Annual Report will address the requirements of Government Code Section 65400. Submit this report to the California Department of Housing and Community Development within 30 days after review by the Town Council.</p> <p>Responsible Party: Planning Division</p> <p>Funding Source: General Fund</p> <p>Implementation Schedule: Winter/Spring 2015; annually thereafter. Annual reports are due April 1st every year.</p> <p>Expected Results: None quantified</p>  |   |                        |
| <p><b>HI-11 HOUSING REHABILITATION AND IMPROVEMENT</b></p> <p>Continue to provide housing rehabilitation and repair opportunities for extremely low-income, very low-income, low-income, elderly, disabled, developmentally disabled, and special needs households through:</p> <ul style="list-style-type: none"> <li>Continue to aggressively seek housing rehabilitation funds through CalHOME, HOME, and other state and federal funding sources.</li> <li>Continue operating the CDBG and HOME revolving loan fund to fund housing rehabilitation for very low- and low-income households.</li> <li>Support the applications for County HOME and CDBG funds of local nonprofit and service providers that provide housing rehabilitation and repair programs.</li> <li>Conduct an updated housing conditions survey to identify areas targeted for rehabilitation and use CDBG funds for housing rehabilitation projects in target areas.</li> <li>Update the brochure, when and if programs change (e.g., increased funding amounts, changes to services provided), that summarizes housing rehabilitation and housing repair programs available to lower-income, elderly, disabled, developmentally disabled, and other special needs households.</li> <li>Continue to advertise the availability of housing rehabilitation and repair programs through the distribution of a brochure at Town Hall, on the Town's website, and in conjunction with housing code enforcement activities.</li> </ul> <p>Responsible Party: Housing Services staff</p> <p>Funding Source: Community Development Block Grant; CalHOME</p> <p>Implementation Schedule: Housing rehabilitation program ongoing; complete housing conditions survey by June 2017; update brochure annually</p> <p>Expected Results: 2 to 5 housing rehabilitations per year</p> | <p><u>Status:</u> Fifty-seven (57) low-income homeowners were funded through the Town's Owner-Occupied Housing Rehabilitation program in 2015-2021 for home repairs utilizing CDBG, HOME, and CalHome grants or loans.</p> <p><u>Effectiveness:</u> The Town has been effective in meeting the program objectives. This program will be continued, as it is considered essential.</p> | <p>Continue</p>        |

TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program   | Status of Program Implementation   | Continue/Delete/Modify  |
|---|--|---|
| <b>HI-12 CONDOMINIUM AND MOBILE HOME CONVERSIONS</b><br><br>Revise Chapter 16.10 of the Municipal Code to address both condominium and mobile home park conversion. The revisions will require (1) analysis of rental rates, vacancy rates, and recent growth or decline in the number of multi-family dwellings to determine whether there are adequate housing opportunities for households that may be relocated as the result of a conversion, (2) preparation and implementation of a relocation plan, and (3) relocation assistance to occupants in the event that a mobile home park or apartment complex is converted from rental to another type of housing or use.<br>Responsible Party: Planning Division<br>Funding Source: General Fund<br>Implementation Schedule: Amend code by June 2015<br>Expected Results: None quantified   | <u>Status:</u> Not yet implemented.<br><br><u>Effectiveness:</u> The revisions outlined in the program have not yet been accomplished. This program will be continued.   | Continue  |
| <b>HI-13 ENFORCE HOUSING CODES</b><br><br>Provide a safe and decent living environment through enforcement of housing codes, including the following actions: <ul style="list-style-type: none"> <li>Inspect housing upon receiving complaints regarding health and safety problems, and require compliance with applicable codes.</li> <li>Enforce compliance with the applicable Town-adopted housing and building codes to ensure existing residential structures remain in habitable condition.</li> </ul> Responsible Party: Code Enforcement Division<br>Funding Source: General Fund<br>Implementation Schedule: Ongoing<br>Expected Results: None quantified  | <u>Status:</u> Procedures are in place through building division for the thorough investigation of housing complaints and the prompt abatement of resulting violations.<br><br><u>Effectiveness:</u> This is an effective program and will be continued.   | Continue  |
| <b>HI-14 CONVERSION OF AT-RISK UNITS</b><br><br>Reduce the potential conversion of the 48 assisted affordable housing units at risk during the current planning period to market rate through the following actions: <ul style="list-style-type: none"> <li>Revise the Zoning Ordinance to require a one-year notice to residents, the Town, the Housing Authority of the County of Butte, and the Community Housing Improvement Program (CHIP) of all proposed conversions of assisted affordable (extremely low, very low, low, and/or moderate income) housing units. Following revision of the Zoning Ordinance, provide the owner of each assisted affordable housing complex in the town with the noticing requirements.</li> <li>Continue to maintain communication with the Housing Authority of the County of Butte and local nonprofit housing organizations to monitor the potential conversion of assisted housing units to market-rate housing.</li> </ul> | <u>Status:</u> The Town is notified as a party on title to assisted affordable housing units. Coordination with Butte County Housing Authority is on-going.<br><br><u>Effectiveness:</u> The Zoning Ordinance was not revised to include the noticing requirements of this program. However, the Town would provide this notice if units become at risk. The Paradise Gardens III project has been identified as at risk of conversion. The Town will work to prevent conversion of the 48 assisted units in this project. | Modify to include the number of units at risk during the planning period and continue |

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS**

| Program  | Status of Program Implementation   | Continue/Delete/Modify |
|--|--|------------------------|
| <ul style="list-style-type: none"> <li>If conversion of units is likely, work with the Housing Authority of the County of Butte and other organizations as appropriate to seek funding to subsidize the at-risk units in a way that mirrors the HUD Housing Choice Voucher (Section 8) program. Funding sources may include state or local funding sources. Refer tenants of at-risk units to the Housing Authority for education regarding tenant rights and conversion procedures and information regarding Section 8 rent subsidies and any other affordable housing opportunities in the Town.</li> </ul> <p>Responsible Party: Planning Division<br/> Funding Source: General Fund; CDBG; HOME<br/> Implementation Schedule: Revision of Zoning Ordinance by June 2015; ongoing communication with the Housing Authority of the County of Butte and local nonprofits<br/> Expected Results: Preservation of at-risk units</p> |  |                        |
| <p><b>HI-15 REDUCE STANDARDS FOR SENIOR AND DISABLED HOUSING</b></p> <p>Revise the Zoning Ordinance to provide reduced standards for senior and disabled housing, including:</p> <ul style="list-style-type: none"> <li>Reduce the number of required parking spaces for mobile home parks and senior citizen housing projects.</li> <li>Allow reduced parking standards for housing developments associated with seniors and/or persons with disabilities via an administrative Town staff review and approval process.</li> </ul> <p>Responsible Party: Planning Division<br/> Funding Source: General Fund<br/> Implementation Schedule: Amend code by December 2014<br/> Expected Results: 15 disabled or senior housing units</p>   | <p><u>Status:</u> Paradise Municipal Code was revised in April 2015 to allow for reduced parking requirements for senior housing.</p>  | Delete                 |
| <p><b>HI-16 TRANSITIONAL/SUPPORTIVE HOUSING</b></p> <p>Revise the Zoning Ordinance to allow transitional housing and supportive housing consistent with the requirements of state law (Government Code Section 65583(a)(4,5). The Zoning Ordinance will be revised to allow transitional and supportive housing in all zoning districts in the town in the same way other residential uses are allowed in each zoning district, as required by state law. Language identifying transitional housing and supportive housing as permitted uses and subject to the same standards as other residential dwellings of the same type will be included in the Zoning Ordinance.</p> <p>Responsible Party: Planning Division<br/> Funding Source: General Fund<br/> Implementation Schedule: Amend Zoning Ordinance by August 2015<br/> Expected Results: None quantified</p>  | <p><u>Status:</u> Grant funding was secured in 2020, through SB2, for the cost of a planning consultant to prepare an ordinance for transitional/supportive housing in 2021.</p> | Continue               |

TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program   | Status of Program Implementation   | Continue/Delete/Modify   |
|---|--|--|
| <p><b>HI-17 HOUSING FOR PERSONS WITH DISABILITIES</b></p> <p>Continue to ensure that new housing for persons with disabilities and home improvements intended to provide accessibility for projects for persons with disabilities are reasonably accommodated.</p> <ul style="list-style-type: none"> <li>Amend Title 15, Buildings and Construction, of the Paradise Municipal Code to identify certain home improvements that provide accessibility for disabled persons as exempt from building permit requirements.</li> <li>Provide exceptions in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with a minimal or no processing fee, subject to approval by the Community Development Director or designee applying the following decision-making criteria: <ul style="list-style-type: none"> <li>The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.</li> <li>The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.</li> <li>The requested accommodation would not impose an undue financial or administrative burden on the Town.</li> <li>The requested accommodation would not require a fundamental alteration in the nature of the Town's land use and zoning program.</li> </ul> </li> <li>Prepare an information brochure designed to help the community understand local zoning regulations, building standards, and programs available to reasonably accommodate persons with disabilities. The brochure will identify which accessibility improvements are exempt from building permit requirements and which accessibility improvements may be permitted over the counter. The brochure will be made available in the following locations: <ul style="list-style-type: none"> <li>Community Development Department counter</li> <li>Town of Paradise website</li> <li>Paradise Senior Center</li> <li>Rehabilitation Program through the Town's Business &amp; Housing Dept</li> <li>Butte County Adult Services</li> <li>Butte County Community Action Agency</li> <li>Feather River Hospital Home Care Services</li> </ul> </li> </ul> <p>Responsible Party: Planning Division; Planning Commission<br/> Funding Source: General Fund<br/> Implementation Schedule: Amend Title 15 and Zoning Ordinance by May 2015; prepare brochure by August 2015<br/> Expected Results: None quantified</p> | <p><u>Status:</u> Housing Rehabilitation Program administered through Business &amp; Housing includes projects involving improvements necessary to ensure accessibility for disabled persons.</p> <p><u>Effectiveness:</u> The Town was somewhat effective in completing the objectives of this program, which was partially implemented. However, parking requirements are still considered an impediment. This program will be modified and continued.</p> | <p>Modify to remove the portions of the program that have been implemented and continue.</p> <p>Keep the program about identifying building activities exempt from permit for accessibility.</p> |

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

**TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS**

| Program   | Status of Program Implementation  | Continue/Delete/Modify  |
|---|---|---|
| <p><b>HI-18 SPECIAL NEEDS HOUSING</b></p> <p>Provide incentives, such as a density bonus, expedited processing, relaxation of development standards, etc., to encourage development of housing for persons with special needs. Incentives will be identified in the brochure developed to promote affordable housing (HI-2) and will be codified where appropriate. In addition, the Town will work with the Far Northern Regional Center to implement an outreach program that informs families in Paradise on housing and services specifically available for persons with developmental disabilities. The program could include the development of an informational brochure, including information on services on the Town's website, and providing housing-related training for individuals/families through workshops.</p> <p>Responsible Party: Planning Division</p> <p>Funding Source: General Fund</p> <p>Funding: General Fund; Federal Housing Opportunities for Persons with AIDS, California Child Care Facilities Finance Program, and other state and federal programs designated specifically for special needs groups for efforts to address needs of those with developmental disabilities</p> <p>Implementation Schedule: Development of outreach program within one year of adopting the Housing Element; prepare brochure by February 2015</p> <p>Expected Results: None quantified</p> | <p><u>Status:</u> Approved a minor use permit for a 56-unit senior housing development (special needs housing) in June 2018 that included a 13% density bonus.</p> <p>The Housing Rehabilitation Program administered through the Business and Housing Services Division includes projects involving improvements necessary to ensure accessibility for disabled persons.</p> <p>Development Impact Fee deferral program has been implemented for development applications, including those building affordable and/or multi-family housing.</p> <p><u>Effectiveness:</u> While projects for the improvement of buildings to assist disabled persons have been completed during the planning period, Title 15 has not been amended nor has an informational brochure been completed. As such, this program will be continued.</p> | <p>Modify to require that transitional and supportive housing is allowed in all zones allowing residential in the same way other residential uses are allowed per <b>state law and continue.</b></p> <p>Modify to remove portions of the program that were implemented and to address requirements of SB 812 for the developmentally disabled and continue.</p> <p>Modify to clarify how this program implements state requirements for a reasonable accommodation procedure or ordinance and continue.</p> |
| <p><b>HI-19 FARM LABOR HOUSING</b></p> <p>To comply with the state's Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6), the Town will amend the Zoning Ordinance to treat employee and farm labor housing that serves six or fewer persons as a single-family structure and permitted in the same manner as other single-family structures of the same type in the same zone (Section 17021.5). The Zoning Ordinance will also be amended to treat employee and farm labor housing consisting of no more than 12 units or 36 beds as an agricultural use and permitted in the same manner as other agricultural uses in the same zone (Section 17021.6) in zones where agricultural uses are permitted.</p> <p>Responsible Party: Planning Division</p> <p>Funding Source: General Fund</p> <p>Implementation Schedule: Amend Zoning Ordinance by July 2015</p> <p>Expected Results: None quantified</p>   | <p><u>Status:</u> Paradise Municipal Code zoning ordinance amended November 2016 to include Agricultural Employee Housing.</p> <p><u>Effectiveness:</u> Completed</p>   | <p>Delete</p>   |



TABLE 5-2: EVALUATION OF PREVIOUS HOUSING ELEMENT PROGRAMS

| Program  | Status of Program Implementation   | Continue/Delete/Modify |
|--|--|------------------------|
| <b>HI-20 ENERGY CONSERVATION AND EFFICIENCY</b><br>Promote energy efficiency and conservation in residential development by: <ul style="list-style-type: none"> <li>Continuing to incorporate green building standards, including alternative design and building approaches, into the Municipal Code.</li> <li>Continuing to review the Town's land use regulations and subdivision ordinances and, where appropriate, amend to include provisions that promote and/or require energy conservation measures as a factor in project approval.</li> <li>Continuing to support inclusion of weatherization activities including, but not limited to, weatherization, siding, and dual-pane windows in the Housing Rehabilitation program.</li> <li>Continuing to support the SaveUEnergy program operated by Community Action Agency services, which provides free energy audits and energy-saving services to low-income households and for a small fee to non-low-income households, by advertising the availability of this program in the Town's Housing Rehabilitation Program brochure.</li> </ul> Responsible Party:  Community Development Department<br>Funding Source: General Fund<br>Implementation Schedule: Every two years beginning in 2015, review and revise codes as necessary<br>Expected Results: None quantified | <p><u>Status:</u> Adopted 2019 CA Building Codes which incorporate mandatory green building standards. Residential solar permits are a reduced flat-fee and fast tracked through plan check.</p> <p><u>Effectiveness:</u> While the implementation of the deferral program will assist in the development of special needs housing, no brochure has been developed. Additionally, the Town recognizes that incentives to promote special needs housing is an ongoing necessity. As such, this program will be continued.</p> | Continue               |

## 5. EFFECTIVENESS OF PREVIOUS HOUSING ELEMENT

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## CHAPTER 6 | HOUSING GOALS, POLICIES, AND PROGRAMS

This chapter describes housing goals, policies, and programs for the Town of Paradise. A goal is defined as a general statement of the highest aspirations of the community. A policy is a course of action chosen from among many possible alternatives. It guides decision-making and provides a framework around which the housing programs operate. A program is a specific action that implements the policy and moves the community toward the achievement of its goals. Programs are a part of the Town's eight-year action plan and constitute the Town's local housing strategy.

### GOALS, POLICIES, AND PROGRAMS

The goals of this Housing Element serve at the local level to enhance and build upon State of California goals for providing safe, decent, and affordable housing available for all Town residents. These goals encompass new construction, conservation of existing stock, affordability, and provision of adequate housing for all persons.

- HG-1 – Encourage and facilitate the production of all housing types, from affordable workforce housing to executive homes, to meet the Town's share of regional housing needs consistent with the overall goals, objectives, and policies of the Paradise General Plan.
- HG-2 – Improve, rebuild, and preserve safe, decent housing and neighborhoods for all Paradise residents, including preparation for wildfire resiliency.
- HG-3 – Reasonably accommodate housing designed for persons with special housing needs.
- HG-4 – Encourage energy-efficient resources in new residential development as well as in the existing housing stock.
- HG-5 – Affirmatively further fair housing by providing equal housing opportunities for all existing and future Paradise residents.

Goals, policies, and implementation measures from the 2009–2014 Housing Element have been incorporated herein or updated, otherwise modified, or deleted as deemed appropriate. For each implementation measure, the party responsible for implementation, funding source, timing of implementation, and quantified results (where appropriate) are identified.

## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

Goals, policies, and implementation measures from the 2014-2022 Housing Element have been incorporated herein or updated, otherwise modified, or deleted as deemed appropriate. For each implementation measure, the party responsible for implementation, funding source, timing of implementation, and quantified results (where appropriate) are identified.

Housing goals are the high-level desired results that the Town will attempt to reach over the long term. They are denoted by "HG." Housing policies are specific statements that serve as a guide to Town staff, decision makers, and housing stakeholders. They are denoted by "HP." Housing implementation measures translate goals and policies into actions. They are denoted by "HI". Where programs require Planning Commission and/or Town Council approval, such as amendments to the Municipal Code or Zoning Ordinance, the Planning Commission and/or Town Council are also entities responsible for implementation.

### HG-1 ENCOURAGE AND FACILITATE THE PRODUCTION OF ALL HOUSING TYPES, FROM AFFORDABLE WORKFORCE HOUSING TO EXECUTIVE HOMES, TO MEET THE TOWN'S SHARE OF REGIONAL HOUSING NEEDS CONSISTENT WITH THE OVERALL GOALS, OBJECTIVES, AND POLICIES OF THE PARADISE GENERAL PLAN.

- HP-1 The Town will encourage a full range of housing types, including both lower- and higher-density housing, at rents and sales prices suitable for a range of household incomes, including extremely low, very low, low, and moderate.
- HP-2 The General Plan will identify lands most suitable for multi-family development and safeguard this type of use on these sites.
- HP-3 The Town will maintain a sufficient inventory of appropriately zoned land to accommodate the timely development of new housing. The inventory will be prepared and maintained by the Community Development Department.

- HP-4 The Town will promote balanced and orderly residential growth to minimize or avoid unnecessary development costs that add to the cost of housing.
- HP-5 New residential development will be directed to areas of the community where essential public facilities and services are available or can be provided at a reasonable cost.
- HP-6 The Town will encourage the production and availability of new affordable housing through a variety of measures including the density bonus program and second unit development, providing incentives such as expedited processing, relaxed zoning restrictions where appropriate, support for funding applications, and Community Development Block Grant (CDBG) funds when available.
- HP-7 The Town will promote development of infill housing, residential, and mixed uses in the Central Commercial area, through continuing to allow appropriate residential uses in commercial zones and continuing to provide flexibility in development standards for mixed-use projects.
- HP-8 The Town will encourage providers to give priority to the very low- and low-income housing developments pursuant to Government Code Section 65589.7. The Town will also provide a copy of the 2022-2030 Housing Element to local water providers upon its adoption. Should a public sewer system, such as an off-site clustered system or alternative wastewater treatment system, be developed and made available, the Town will provide its operator with a copy of the Housing Element and encourage the operator to give priority to very low- and low-income housing developments pursuant to Government Code Section 65589.7.
- HP-9 The Town will pursue county, State, and federal programs and funding sources that provide

housing opportunities for low- and moderate-income households.

- HP-10 In accordance with applicable federal and State laws, the Town will promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.
- HP-11 The Planning Commission and Town Council will annually review progress in implementing the Housing Element including the progress in achieving its objectives and meeting its share of regional housing needs.
- HP-12 The Town will pursue the development of tiny home villages to be used as affordable housing.
- HP-13 Coordinate an introductory meeting(s) with housing developers working on innovative housing and disaster recovery solutions (e.g., FactoryOS, Jamboree, and Boxabl) to explore potential partnerships, such as master approved plans for factory-built products.

### **HI-1 REDUCE INFRASTRUCTURE CONSTRAINTS TO DEVELOPMENT**

Continue to reduce infrastructure constraints to new development, particularly those constraints associated with wastewater disposal. The General Plan authorizes an ongoing identification of infrastructure and service limitations including those related to sanitary waste disposal which inhibit housing development. In Fall 2020, the Paradise Town Council approved the start of an 18-month EIR for a regional sewer option. In addition, a sewer committee was formed between the Town, City of Chico, and the Regional Water Board. The Town will continue to study the feasibility of the Paradise Sewer Project, including pursuing funding for the design and construction phases. Potential funding sources include a State appropriation (working in conjunction with the City of Chico and the Central Valley Regional Water Quality Control Board), U.S. Department of Agriculture Rural Development funds, HCD Community Development Block Grants – Disaster Relief (CDBG-DR), and US Economics Development

Administration (EDA) funds. The Town will continue to educate community members and property owners in the Sewer Service Area (SSA) about the timing of the project and how it affects development opportunities.

In March 2021, the LEAP Grant (Local Early Action Planning) was executed with HCD to fund the digital archiving of septic installation maps to be made available to the public which will show property pre-approvals for number of bedrooms and square footage. In addition, archived land use entitlements will be digitized and made available to the public to see existing residential development approvals. Both of these actions will help reduce constraints associated with wastewater as it provides preapproval information to help accelerate the purchase and development of residential parcels in Town.

Outside the SSA, the Town will seek funding through available infrastructure, water quality, and wastewater treatment programs to fund the research and development of additional alternative wastewater treatment systems. Potential funding sources for wastewater treatment or infrastructure serving affordable housing include the Small Community Wastewater Grant Program, Infrastructure State Revolving Loan Fund, and Infill Infrastructure Grant Program. Recognizing that available funding sources will change from time to time, the Town will regularly check state grant programs offered by the Department of Health and Human Services, State Water Resources Control Board, Infrastructure and Economic Development Bank, and Department of Housing and Community Development and will aggressively seek funding for alternative wastewater treatment when grant funds are available. (Annually and ongoing)

The Town will allow for the application of planned developments to accommodate smaller lot sizes while providing open space for constrained areas as well as clustered wastewater treatment facilities for the development. Reductions in sewage disposal setbacks also reduce constraints to development. Deferral of frontage improvements (through covenants) for projects also helps encourage the development of special needs housing.

## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

Responsible Party: Community Development Departments

Funding Source: General Fund

Implementation Schedule: Ongoing – timing for specific actions indicated in parentheses

Expected Results: None quantified

### HI-2 AFFORDABLE HOUSING RESOURCES

Continue to promote affordable housing by working with and assisting developers who are interested in producing affordable housing and by providing staff support, identifying available resources, supporting funding applications, and providing funding when available. The Town will take the following actions:

- Coordinate a housing stakeholders group that includes affordable housing developers, which will meet annually to identify potential housing projects, including affordable new construction, special needs housing, and first-time homebuyer assistance, and prioritize potential funding efforts.
- Annually encourage nonprofit sponsors to make application to state and federal agencies for affordable senior citizen and/or disabled rental housing.
- Continue to seek funding for affordable housing rehabilitation and new construction that ensures that a variety of populations are addressed (e.g., once one project is funded, support a different type of project in the next funding round). The approach should maximize the Town's available funding resources, prioritize projects that will be very competitive in the funding process, support new construction for a variety of affordable housing needs, and be based on the interest of developers in providing specific housing types.
- Continue to pursue various housing program grants to fund down payment assistance to lower-income households, including extremely low-income first-time homebuyers. Continue to fund down payment assistance programs with CDBG, HOME, and CalHOME funds, when feasible and appropriate.
- Prepare a brochure identifying affordable housing resources and incentives and provide the brochure

to development applicants interested in affordable and/or multi-family housing.

- Consider allocating CDBG funds, when available and appropriate, to assist with preparation of HOME applications and other applicable State and federal program applications in support of affordable housing projects.
- Annually seek funding from CalHOME and other programs to augment the Town's funding sources. If multiple projects request funding assistance, projects providing at least 25 percent of the units for extremely low- or very low-income households will receive priority for funding assistance.

Responsible Party: Housing Services staff

Funding Source: Restricted grant funds; CDBG; CalHOME, HOME, Town of Paradise Building and Housing Division

Implementation Schedule: Program funding ongoing. Housing stakeholders group to be held by July 2022. Affordable housing brochure prepared by December 2022.

### HI-3 AFFORDABLE HOUSING INCENTIVES

Provide incentives through project processing and development regulations to promote extremely low-, very low-, and low-income and special needs housing. These incentives will include:

- Expedited processing and approvals for such projects, without jeopardizing environmental quality or the integrity of the overall goals, objectives, and policies of the General Plan.
- Additional reduction in development standards, such as setbacks, floor area ratios, minimum parking spaces, and lot coverage requirements. Additional incentives will be identified for development of small lots with extremely low-, very low-, and low-income housing and for development of single-room occupancy (SRO) projects.
- Continue to require only the minimum design standards for housing construction, and provide engineered specifications and a residential construction guide to interested builders and property owners.
- Identify cost-saving and innovative development approaches that may assist developers in providing

affordable housing and developing projects at or near maximum densities.

- Support funding applications in conjunction with HI-2.

The incentives will be described in the brochure prepared under HI-2.

Responsible Party: Housing Services and Community Development Department

Funding Source: General Fund; CDBG

Implementation Schedule: Additional incentives identified by; brochure prepared by December 2022

Expected Results: 25 affordable family units; 15 senior or disabled units (in conjunction with HI-2)

### **HI-4 DENSITY BONUS, SSA OVERLAY, AND OTHER OPPORTUNITIES FOR INCREASED DENSITY**

Revise the density bonus ordinance (Chapter 17.44) to be consistent with Government Code Sections 65915 and 65917 and identify incentives for affordable housing development.

Develop a density bonus brochure that describes how the density bonus program is implemented (e.g., increase in density provided for specific affordability levels), including examples of incentives that an affordable housing project can request, and provides several examples of development projects with various levels of affordability, the associated density bonus, and the resultant project.

Identify neighborhoods where tiny home villages can be a permitted by right land use and modify the Zoning Ordinance and Building Code to remove barriers to these smaller housing typologies while ensuring they are safe and built to the proper codes. Mobile home parks that were destroyed and are not rebuilding could be considered one opportunity area for tiny home villages.

Perform the rezonings described in Chapter 4 for key parcels in the SSA and establish a Sewer Service Overlay zone to allow increased densities up to 30 dwelling units/acre in the SSA. The Overlay will only apply to properties with underlying zoning districts that

allow multi-family and mixed-use residential development.

Explore the feasibility of incentivizing a mix of active ground-floor uses with residential units above in the heart of the Downtown Walkable Area. Such incentives could include charging commercial impact fee rates for the entire structure (instead of commercial and residential) to achieve cost savings or allowing shared parking by right.

Responsible Party: Community Development Department

Funding Source: General Fund

Implementation Schedule: Chapter 17.44 revised by August 2022. Identifying incentives for affordable housing by February 2023. Develop a density bonus brochure by June 2023. Identify areas for tiny home villages by December 2023. Explore incentivizing mixed-use developments in the walkable Downtown by June 2024. Rezoning for key parcels in the SSA by January 2025.

Expected Results: None quantified

### **HI-5 PUBLICLY OWNED LANDS INVENTORY**

Continue to maintain an inventory of publicly owned land in the town and its sphere of influence for potential housing sites.

Responsible Party: Community Development Department

Funding Source: General Fund

Implementation Schedule: updated biannually

Expected Results: None quantified

### **HI-6 HOUSING AUTHORITY**

Support the Housing Authority's continued implementation of the conventional Public Housing Rental Program and the Housing Choice Voucher program, which provides rent subsidies directly to participants' landlords, and support that agency's attempts to secure additional funding for expanded programs.

Responsible Party: Community Development Department, Housing Services staff

Funding Source: General Fund

Implementation Schedule: Ongoing

Expected Results: None quantified



## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

### HI-7 SMALL LOT CONSOLIDATION AND DEVELOPMENT

Continue to encourage consolidation of small multi-family parcels as well as small, commercially designated parcels appropriate for residential use.

- Provide incentives to encourage owners of small, contiguous parcels appropriate for affordable housing to consolidate lots. Incentives could include deferring fees specifically for consolidation, expediting permit processing, and/or providing flexible development standards such as setback requirements or reduced parking.
- Inform owners of parcels in Consolidated Sites B and D of available incentives for lot consolidation and encourage owners to take advantage of such incentives.
- Assist affordable housing developers with the purchase and consolidation of small, contiguous parcels by providing staff assistance and financial assistance, when available through CDBG, HOME, or other appropriate funds.

Responsible Party: Community Development Department

Funding Source: General Fund

Implementation Schedule: Small lot owners contacted by June 2023.

Expected Results: None quantified

### HI-8 PROMOTE SECOND UNITS

Continue to encourage development of affordable second units by:

- Preparing a Second Units Handbook that provides information on ADU plans preapproved by the Town for second units that can be approved with minimal planning and building review. ADU plans should be provided for accessible second units, as well as two-story second units. The handbook will identify incentives for development of affordable second units, including expedited processing, and explain affordability and monitoring requirements.
- Publicizing the Town's Second Unit Program through handouts available at Town Hall and on the Town's website.

- Exploring partnerships with prefabricated ADU manufacturers to include their designs in the pre-approved prototypes.

Responsible Party: Housing Services staff

Funding Source: General Fund, Wildfire Resiliency & Planning Grant

Implementation Schedule: December 2022

Expected Results: 12-15 ADUs created through the mastered ADU plans and 30-40 ADUs permitted during the Housing Element cycle.

### HI-9 ADDRESS DISCRIMINATION

The Town's Housing and Business Services Division will continue to provide filing information and direct residents with discrimination complaints to the California Department of Fair Employment and Housing and/or the US Department of Housing and Urban Development. Fair housing/nondiscrimination requirements will continue to be posted at Town Hall and other public facilities. A log of all complaints will be kept and total complaints will be reported in the Annual Report (HI-10).

Responsible Party: Housing Services staff

Funding Source: General Fund

Implementation Schedule: Ongoing

Expected Results: None quantified

### HI-10 ANNUAL REPORT

Provide an Annual Report to the Town Council and Planning Commission that describes (1) implementation of Housing Element programs to date, (2) the amount and type of housing activity as related to the Housing Element's goals, policies, and programs, and (3) an updated summary of the Town's housing needs. The Annual Report will address the requirements of Government Code Section 65400. Submit this report to the California Department of Housing and Community Development within 30 days after review by the Town Council.

Responsible Party: Planning Division

Funding Source: General Fund

Implementation Schedule: Ongoing

Expected Results: None quantified

HG-2 IMPROVE, REBUILD, AND PRESERVE SAFE, DECENT HOUSING AND NEIGHBORHOODS FOR ALL PARADISE RESIDENTS, INCLUDING PREPARATION FOR WILDFIRE RESILIENCY.

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- HP-14 The Town will encourage the maintenance and improvement of its residential areas.
- HP-15 The Town will design and implement housing programs that maximize access to the market, such as housing rehabilitation, including replacement housing, and down payment assistance for first-time homebuyers.
- HP-16 The Town will support and encourage public and private efforts to provide ongoing home improvement and neighborhood rehabilitation programs.
- HP-17 New housing and rehabilitated housing will be constructed in accordance with design standards and Town-adopted Building Code requirements that will ensure the safety and integrity of each housing unit.
- HP-18 The Town will continue to provide a revolving loan fund for housing rehabilitation and down payment assistance programs.
- HP-19 The Town will support the continuance and expansion of the Housing Authority's rental assistance program.
- HP-20 The Town will regulate conversion of housing stock that, by its nature, is affordable to residents of modest means, such as apartments and mobile homes, to either market-rate, for-sale, or nonresidential uses, by requiring such conversions to provide a housing relocation plan and replacement assistance to residents who would be displaced by the conversion and by requiring that the Town make a finding of clear public benefit.
- HP-21 Provided staffing and funding are available, the Town will monitor the quality of the local housing stock.

- HP-22 The Town will encourage safe and decent housing through demolition of dilapidated units that cannot be cost-effectively improved to code standard.
- HP-23 The Town will consider increased building and landscaping requirements for fire resiliency and add supportive programs to assist households with vegetation management. The Town will consider providing grants or no-interest loans to low-income households for home hardening to ensure the most vulnerable households are not left behind.
- HP-24 The Town will work with local fire officials to educate homeowners and landlords through community meetings, mailers, and participation in community events on how to reduce fire risk to structures and landscaping as wildfire risk continues to increase due to climate change.
- HP-25 The Town will look into additional funding mechanisms to improve programs for fire safe construction and fire maintenance, including the feasibility of impact fees.
- HP-26 The Town will encourage the acquisition of high hazard parcels on the periphery of town (i.e., the Wildfire Risk Reduction Buffers identified by the Conservation Biology Institute) for open space or similar uses that serve as wildfire buffers. Explore zoning changes or other policy tools like the Bureau of Land Management's Area of Critical Environmental Concern planning process to discourage or prohibit development in the most dangerous places.
- HP-27 The Town will engage with insurance companies in the area to identify ways to align insurance policies and incentive programs with wildfire mitigation priorities, such as maintaining defensible space requirements or home hardening programs and ensure that affordable and accessible wildfire insurance is available to all residents.

## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

HP-28 The Town will support post-disaster funding for multi-family and affordable housing development.

### HI-11 HOUSING REHABILITATION AND IMPROVEMENT

Continue to provide housing rehabilitation and repair opportunities for extremely low-income, very low-income, low-income, elderly, disabled, developmentally disabled, and special needs households through:

- Continue to aggressively seek housing rehabilitation funds through CalHOME, HOME, and other state and federal funding sources.
- Continue operating the CDBG and HOME revolving loan fund to fund housing rehabilitation for very low- and low-income households.
- Support the applications for County HOME and CDBG funds of local nonprofit and service providers that provide housing rehabilitation and repair programs.
- Conduct an updated housing conditions survey to identify areas targeted for rehabilitation and use CDBG funds for housing rehabilitation projects in target areas.
- Update the brochure, when and if programs change (e.g., increased funding amounts, changes to services provided), that summarizes housing rehabilitation and housing repair programs available to lower-income, elderly, disabled, developmentally disabled, and other special needs households.
- Continue to advertise the availability of housing rehabilitation and repair programs through the distribution of a brochure at Town Hall, on the Town's website, and in conjunction with housing code enforcement activities.

Responsible Party: Housing Services staff

Funding Source: Community Development Block Grant; CalHOME

Implementation Schedule: Updated housing conditions survey by December 2023.

Expected Results: 2 to 5 housing rehabilitations per year

### HI-12 CONDOMINIUM AND MOBILE HOME CONVERSIONS

Revise Chapter 16.10 of the Municipal Code to address both condominium and mobile home park conversion. The revisions will require (1) analysis of rental rates, vacancy rates, and recent growth or decline in the number of multi-family dwellings to determine whether there are adequate housing opportunities for households that may be relocated as the result of a conversion, (2) preparation and implementation of a relocation plan, and (3) relocation assistance to occupants in the event that a mobile home park or apartment complex is converted from rental to another type of housing or use.

Responsible Party: Planning Division

Funding Source: General Fund

Implementation Schedule: Municipal Code revised by June 2024.

Expected Results: None quantified

### HI-13 ENFORCE HOUSING CODES

Provide a safe and decent living environment through enforcement of housing codes, including the following actions:

- Inspect housing upon receiving complaints regarding health and safety problems, and require compliance with applicable codes.
- Enforce compliance with the applicable Town-adopted housing and building codes to ensure existing residential structures remain in habitable condition.

Responsible Party: Code Enforcement Division

Funding Source: General Fund

Implementation Schedule: Ongoing

Expected Results: None quantified

### HI-14 FIRE RESILIENCY

Increase wildfire resiliency through the following actions:

- Update the Town's Safety Element.
- Establish and implement the Sewer Service Overlay Zone to incentivize development in accessible areas outside of Wildfire Risk Reduction Buffers.

- Identify and meet with local insurance companies and the Paradise Ridge and Butte County Fire Safe Councils to explore home hardening programs that allow policyholders to lower their rates through home hardening, vegetation management, or other risk reduction measures.
- In partnership with CAL FIRE and the Paradise Ridge and Butte County Fire Safe Councils, create and disseminate educational materials on fire-safe practices.
- Meet with the Paradise Recreation & Parks Department, the Nature Conservancy, Conservation Biology Institute, and other stakeholders to identify the highest priority parcels for Wildfire Risk Reduction Buffers.
- Create an equitable community engagement plan to identify parcels to target for Wildfire Risk Reduction Buffers and a menu of incentives and disincentives to facilitate appropriate uses, home hardening, vegetation management, or other risk reduction measures on the identified parcels.

Responsible Party: Planning Division and Fire Department

Funding Source: General Fund

Implementation Schedule: Safety Element Adoption by July 2022. Meetings with insurance companies by October 2022. Meeting on Wildfire Risk Reduction Buffers by January 2023. Community engagement plan on Wildfire Risk Reduction Buffers by August 2023.

Expected Results: None quantified

### HG-3 REASONABLY ACCOMMODATE HOUSING DESIGNED FOR PERSONS WITH SPECIAL HOUSING NEEDS.

- HP-29 The Town will continue to encourage the development and expansion of housing opportunities for the elderly and the disabled through techniques such as smaller unit sizes, a reduction in parking space requirements, common dining facilities, and fewer but adequate amenities.
- HP-30 The Town will encourage development of suitable sites with rest homes and care facilities for the elderly and the disabled and developmentally disabled and will encourage

senior citizen housing in the Central Commercial area of Paradise.

- HP-31 The Town will facilitate housing opportunities for the homeless by accommodating transitional and supportive housing and allowing emergency, transitional, and supportive housing consistent with state law.
- HP-32 The Town will encourage development housing types and programs for senior citizens, the disabled, developmentally disabled, large families, and other groups identified as having special housing needs.
- HP-33 The Town will continue to require the first floors of multi-family developments to accommodate access and use by the elderly and the disabled.
- HP-34 The Town will continue to assess the Zoning Ordinance, Municipal Code, and Town procedures for constraints and address changes in state law, particularly regarding housing for special needs groups, including seniors, the disabled, developmentally disabled, large families, farmworkers, and the homeless.

### HI-15 TRANSITIONAL/SUPPORTIVE HOUSING

Revise the Zoning Ordinance to allow transitional housing and supportive housing by-right in zones where multi-family and mixed uses are permitted, including nonresidential zones permitting multi-family uses pursuant to Government Code section 65651. Language identifying transitional housing and supportive housing as permitted uses and subject to the same standards as other residential dwellings of the same type will be included in the Zoning Ordinance.

Grant funding was secured to perform this revision.

Responsible Party: Planning Division

Funding Source: General Fund, SB2 Grant Funding

Implementation Schedule: Amend Zoning Ordinance by January 2025.

Expected Results: None quantified

## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

### HI-16 HOUSING FOR PERSONS WITH DISABILITIES

Continue to ensure that new housing for persons with disabilities and home improvements intended to provide accessibility for projects for persons with disabilities are reasonably accommodated.

- Amend Title 15, Buildings and Construction, of the Paradise Municipal Code to identify certain home improvements that provide accessibility for disabled persons as exempt from building permit requirements.
- Provide exceptions in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with a minimal or no processing fee, subject to approval by the Community Development Director or designee applying the following decision-making criteria:
- The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.
- The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.
- The requested accommodation would not impose an undue financial or administrative burden on the Town.
- The requested accommodation would not require a fundamental alteration in the nature of the Town's land use and zoning program.
- Prepare an information brochure designed to help the community understand local zoning regulations, building standards, and programs available to reasonably accommodate persons with disabilities. The brochure will identify which accessibility improvements are exempt from building permit requirements and which accessibility improvements may be permitted over the counter.
- The brochure will be made available in the following locations:
  - Building Resiliency Center
  - Housing Division counter

- Disability Action Center website
- Butte County Adult Services
- Paradise Veterans Memorial Hall
- Town of Paradise website

Responsible Party: Planning Division; Planning Commission

Funding Source: General Fund

Implementation Schedule: Brochure prepared by March 2023, after the 2022 building code adoption.

Expected Results: None quantified

### HI-17 SPECIAL NEEDS HOUSING

Provide incentives, such as a density bonus, expedited processing, relaxation of development standards, etc., to encourage development of housing for persons with special needs. Incentives will be identified in the brochure developed to promote affordable housing (HI-2) and will be codified where appropriate. In addition, the Town will work with the Far Northern Regional Center to implement an outreach program that informs families in Paradise on housing and services specifically available for persons with developmental disabilities. The program could include the development of an informational brochure, including information on services on the Town's website, and providing housing-related training for individuals/families through workshops.

The Town shall require that transitional and supportive housing is allowed in all zones allowing residential uses, in the same way other residential uses are allowed per state law (also see HI-16).

Responsible Party: Planning Division

Funding Source: General Fund

Funding: General Fund; Federal Housing Opportunities for Persons with AIDS, California Child Care Facilities Finance Program, and other state and federal programs designated specifically for special needs groups for efforts to address needs of those with developmental disabilities

Implementation Schedule: Development of outreach program within one year of adopting the Housing Element and annual meetings with Far Northern Regional Center thereafter for updates; prepare brochure by June 2023. Review Zoning Ordinance for consistency with the Employee Housing Act by December 2022.

Expected Results: None quantified

### HI-18 RESIDENTIAL CARE FACILITIES

As part of the Sewer Service Overlay zone proposed in HI-4, the Town will include provisions to allow State-licensed residential care facilities for seven or more persons only subject to those restrictions that apply to residential uses in the same zone to make it easier to locate these types of facilities and at the same time ensure that these facilities are located in areas with access to commercial services, near evacuation routes, and with adequate sewer capacity.

Responsible Party: Planning Division

Funding Source: General Fund, SB2 Grant Funding

Implementation Schedule: Amend Zoning Ordinance by September 2022.

Expected Results: None quantified

### HG-4 ENCOURAGE ENERGY-EFFICIENT RESOURCES IN NEW RESIDENTIAL DEVELOPMENT AS WELL AS IN THE EXISTING HOUSING STOCK.

HP-35 The Town will encourage energy efficiency and energy conservation in residential development to ensure sustainable practices and to reduce long-term housing costs.

### HI-19 ENERGY CONSERVATION AND EFFICIENCY

Promote energy efficiency and conservation in residential development by:

- Continuing to review the Town's land use regulations and subdivision ordinances and, where appropriate, amend to include provisions that promote and/or require energy conservation measures as a factor in project approval.
- Continuing to support inclusion of weatherization activities including, but not limited to, weatherization, siding, and dual-pane windows in the Housing Rehabilitation program.
- Continuing to support the SaveUEnergy program operated by Community Action Agency services, which provides free energy audits and energy-saving services to low-income households and for a small fee to non-low-income households, by

advertising the availability of this program in the Town's Housing Rehabilitation Program brochure.

Responsible Party: Community Development Department

Funding Source: General Fund

Implementation Schedule: Every two years review and revise codes as necessary

Expected Results: None quantified

### HG-5 AFFIRMATIVELY FURTHER FAIR HOUSING BY PROVIDING EQUAL HOUSING OPPORTUNITIES FOR ALL EXISTING AND FUTURE PARADISE RESIDENTS.

HP-36 The Town will enhance housing mobility strategies.

HP-37 The Town will encourage new housing choices and affordability in high resource areas and outside of areas of concentrated poverty

HP-38 The Town will improve place-based strategies to encourage community conservation and revitalization including preservation of existing affordable housing.

HP-39 The Town will protect existing residents from displacement.

### HI-20 UTILIZE ADUS TO PROVIDE AFFORDABLE HOUSING IN HIGHER OPPORTUNITY AREAS.

If being used as a rental, persons using the Town's mastered ADU plans would be required to affirmatively market their ADU to populations with disproportionate housing needs, including persons with disabilities and female-headed households. This would include sharing information with community organizations that serve these populations. The Town will also affirmatively market the mastered ADU plans to low-income households for wealth-building purposes.

Responsible Party: Housing Services Staff

Funding Source: General Fund

Implementation Schedule: Ongoing.

Expected Results: 12-15 ADUs created through the mastered ADU plans and 30-40 ADUs permitted during the Housing Element cycle



## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

### HI-21 NON-ENFORCEMENT OF PRIVATE CC&RS.

Continue to disallow the governmental enforcement of private Covenants, Conditions, and Restrictions (CC&Rs) given their potential to cause areas of affluence and exclusion. Continue to allow all housing types (e.g., stick built, modular, manufactured) in all residentially zoned areas. Responsible Party: Housing Services Staff

Funding Source: General Fund

Implementation Schedule: Ongoing.

Expected Results: 350 manufactured homes permitted during the planning period in neighborhoods throughout the town.

### HI-22 AFFIRMATIVELY MARKET AFFORDABLE DEVELOPMENTS.

Require affordable housing developments be affirmatively marketed to households with disproportionate housing needs, including persons with disabilities and female-headed households. This would include sharing information with community organizations that serve these populations, such as legal service or public health providers. All marketing plans would include strategies to reach groups with disproportionate housing needs.

Responsible Party: Planning Staff

Funding Source: General Fund

Implementation Schedule: Ongoing. Marketing plans are submitted at time of building inspection.

Expected Results: Affordable housing projects and available affordable units are advertised to at least three community organizations.

### HI-23 ALLOW RESIDENTIAL CARE FACILITIES BY RIGHT.

Allow residential care facilities for seven or more person by-right in the sewer service area. This will make it easier to develop needed housing for special needs populations and ensure that these facilities are located in areas with access to commercial services, near evacuation routes, and with adequate sewer capacity.

Responsible Party: Planning Division

Funding Source: General Fund

Implementation Schedule: Amend Zoning Ordinance by 2025.

Expected Results: Development of 80 housing units for extremely- and very low-income households in the sewer service area.

### HI-24 FACILITATE DIVERSE HOUSING TYPES IN THE SEWER SERVICE AREA.

Utilize zoning tools to facilitate the construction of diverse housing types and a mix of uses within the sewer service area. This will increase access to opportunity by increasing the number of people who live in proximity to transit and services within the sewer service area. Encouraging mixed-income housing and diverse housing types will continue to facilitate integrated living patterns. Consistent with program HI-4, the Town could use changes to its fee structure and/or parking standard revisions to incentive active ground floor uses below residential units.

Responsible Party: Planning Division

Funding Source: General Fund

Implementation Schedule: June 2024 for mixed-use incentives and January 2025 for rezoning parcels with the Sewer Overlay Zone.

Expected Results: Development of 80 housing units for extremely- and very low-income households in the sewer service area.

### HI-25 UTILIZE AN EQUITY LENS IN UPCOMING PLANNING ACTIVITIES.

Utilize an equity lens in the upcoming General Plan update as well as the ongoing implementation of the Long-Term Community Recovery Plan. This includes ensuring an equitable community engagement process is implemented to capture feedback from historically excluded communities.

Responsible Party: Planning Division

Funding Source: General Fund

Implementation Schedule: Ongoing between 2023-2025 during the General Plan Update.

Expected Results: Participation amongst people of color and those in protected classes increases 10 percent from the first engagement activity to the last.

### HI-26 FUND MINOR HOME REPAIRS.

Continue to fund minor home repairs for income-eligible households through the owner-occupied rehab program. Work with FEMA to establish a grant program for home hardening retrofits.

Responsible Party: Housing Division

Funding Source: HOME Investment Partnerships Programs and/or CDBG

Implementation Schedule: Conduct publicity campaign for the program once annually in addition to hosting information on Town website.

Expected Results: Rehabilitation of 40 homes in target neighborhoods.

**HI-27 TARGETED ACCESSIBILITY UPGRADES.**

Target accessibility upgrades in areas with greatest need. Implement the Transportation Master Plan (TMP) to prioritize intersection improvements where ADA upgrades are needed.

Responsible Party: Public Works Department

Funding Source: FEMA and FHWA

Implementation Schedule: During public road repaving project from August 2022 through 2025.

Expected Results: All intersections are ADA compliant.

**HI-28 ENHANCED HOME HARDENING PROGRAMS**

Through partnerships with the Paradise Ridge and Butte County Fire Safe Councils explore home hardening programs that allow policyholders to lower their insurance rates through home hardening, vegetation management, or other risk reduction measures. Implement an equitable community engagement strategy and work with key stakeholders to identify Wildfire Risk Reduction Buffers to protect homes from the areas with greatest fire risk.

Responsible Party: Planning Division and Fire Department

Funding Source: General Fund and FEMA

Implementation Schedule: Meeting on Wildfire Risk Reduction Buffers by January 2023. Community engagement plan on Wildfire Risk Reduction Buffers by August 2023.

Expected Results: None quantified.

**CONCLUSION**

The foregoing programs are considered appropriate and desirable to ensure that the Town's housing needs through 2030, as identified in Chapters 1 through 5, are met in a timely and cost-effective manner. The programs designate implementation schedules and expected results, including quantified objectives where applicable. Quantified objectives estimate the number of units likely to be constructed, rehabilitated, or preserved by income level during the planning period. The quantified objectives do not represent a ceiling on development and do not require the Town to construct these units, but rather set a target goal for the jurisdiction to achieve based on needs, resources, and constraints. Table 6-1 shows an estimate of quantified objectives by income category for the number of units to be constructed, rehabilitated, and conserved over the planning period. Tables 6-2 and 6-3 identify the

quantified objectives for individual programs. To achieve these objectives, the community will require developer and nonprofit participation and funding from the CDBG, HOME, and CalHOME programs as well as from other sources.

**TABLE 6-1: QUANTIFIED OBJECTIVES: CONSTRUCTION, REHABILITATION, AND PRESERVATION BY INCOME LEVEL**

| Income Levels          | Construction | Rehabilitation | Preservation |
|------------------------|--------------|----------------|--------------|
| Extremely and Very Low | 133          | 30             | –            |
| Low                    | 483          | 25             | –            |
| Moderate               | 402          | 0              | –            |
| Above Moderate         | 2,002        | 0              | –            |
| <b>Total</b>           | <b>3,020</b> | <b>55</b>      | <b>–</b>     |

No at-risk units were identified, and therefore no preservation is required at this time. Construction of affordable units incentivized through HI-3, HI-4, and HI-8. Rehabilitation incentivized by HI-11. See Table 6-2 for more information. Source: Town of Paradise, 2021.

**TABLE 6-2: QUANTIFIED OBJECTIVES FOR VERY LOW- AND LOW-INCOME UNITS BY PROGRAM**

| Program   | Construction | Rehabilitation | Preservation |
|---|--------------|----------------|--------------|
| HI-2: Affordable Housing Resources  | 20           | –              | –            |
| HI-3: Affordable Housing Incentives*  | 20           | –              | –            |
| HI-4: Density Bonus, SSA Overlay, and Other Opportunities for Increased Density | 447          |                |              |
| HI-8: Promote Second Units  | 40           |                |              |
| HI-11: Housing Rehabilitation and Improvement                                   | –            | 16-40          | –            |
| <b>Total</b>  | <b>527</b>   | <b>16-40</b>   | <b>–</b>     |

\* In Conjunction With HI-2.

Source: Town of Paradise, 2021.

**TABLE 6-3: QUANTIFIED OBJECTIVES FOR SPECIAL NEEDS UNITS BY PROGRAM**

| Program  | Seniors/Disabled |
|--|------------------|
| HI-2 & HI-3: Affordable Housing Resources and Incentives | 15               |
| <b>Total</b>   | <b>15</b>        |

Source: Town of Paradise, 2021.



## 6. HOUSING GOALS, POLICIES, AND PROGRAMS

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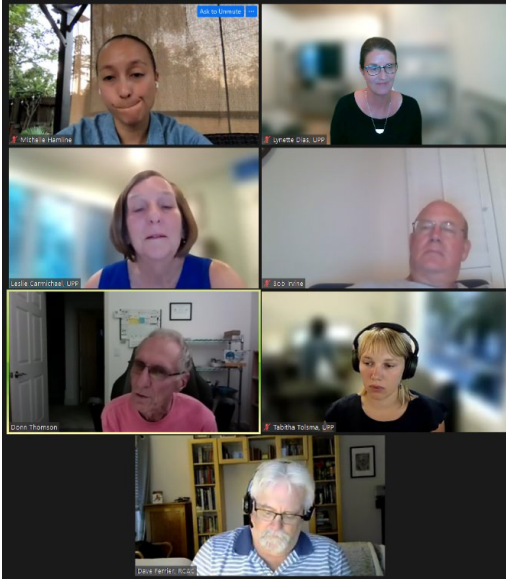
## CHAPTER 7 | COMMUNITY PARTICIPATION

This Housing Element has been shaped by community feedback throughout all phases of its development. A variety of in-person and digital tools were used to solicit input, including surveys, community meetings, and interviews. This chapter describes the community participation activities conducted during the development of the draft Housing Element and the adoption of the final Housing Element.

### DEVELOPMENT OF THE DRAFT HOUSING ELEMENT

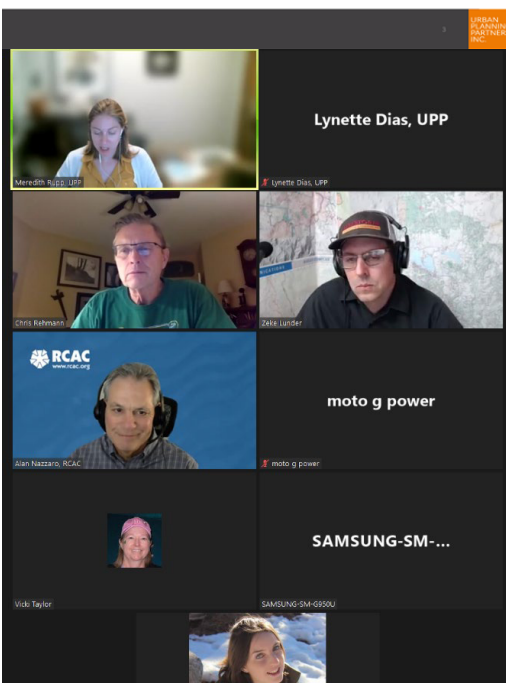
Given the ongoing recovery of the town and its residents, it was especially important to draw from prior planning efforts to avoid meeting fatigue and avoid duplicating efforts where appropriate. The Town adopted its Long-Term Community Recovery (LTCR) Plan in June 2019 and its 2020-2024 Consolidated Plan in July 2021. Both these efforts included robust community engagement, including seven listening sessions and community meetings held in conjunction with the LTCR Plan. The Housing Element drew from these prior plans and their community engagement results as a starting point.

Community engagement specific to the Housing Element update reached a wide range of stakeholders, including Town staff from other departments, residents, employees, housing advocates, wildfire experts, service agencies, and other organizations addressing housing and special needs. Key stakeholders, agencies, and organizations were contacted individually for input to ensure that the Housing Element accurately reflects a broad spectrum of the community and prioritizes needs appropriately. See Appendix E for more information on the public participation process. Engagement was carried out in three phases, as described below.



#### Questions

3. What do you see as best practice for managing and maintaining adequate defensible space in the town of Paradise?



### PHASE 1 – HOUSING ELEMENT INITIATION

The first phase of the engagement process sought to ensure stakeholders were aware of the Housing Element update and had the vocabulary and context needed to provide meaningful input throughout the update process. Community-based organizations (CBOs) were also consulted to identify the best methods to engage their members given the ongoing Camp Fire recovery and the Covid 19 pandemic.

#### WHAT WE HEARD – PHASE 1 HOUSING ELEMENT INITIATION

- Construction costs are a major barrier, and the Ridge was the affordable housing location for much of the area pre-fire.
- Outside organizations are plentiful and a good way to spread the word, especially since some people don't want to talk to the government after the draining rebuilding process.

### PHASE 2 – UNDERSTAND EXISTING CONDITIONS

In the second phase, the focus was on learning about current housing needs. In partnership with the Consolidated Plan update, a local census survey was mailed to every Paradise address and widely distributed online to gather data on demographics, housing conditions, and other variables to supplement U.S. Census Bureau data that did not reflect the post-fire reality. The local census was conducted with help from the Rural Community Assistance Corporation (RCAC) and garnered responses from 1,416 people.

#### WHAT WE HEARD – PHASE 2 UNDERSTAND EXISTING CONDITIONS

- Septic is a major constraint. Increasing densities won't be possible until the sewer goes in.
- Obtaining insurance for new construction has been challenging, especially for multi-family housing.
- Market rate rents are sometimes equivalent to low-income (80% of median income) rents. Current construction costs can't pencil with the lower rents in Paradise.

In addition to the local census survey, five interviews with housing stakeholders, including affordable and market-rate developers, were conducted to understand constraints and opportunities for residential development. A Planning Commission study session was held to receive feedback on preliminary findings.

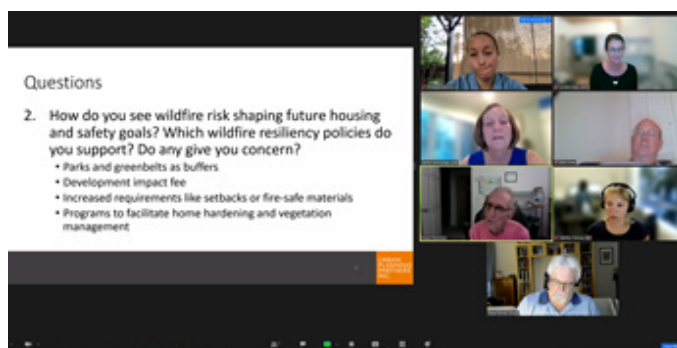
### PHASE 3 – TESTING SOLUTIONS

The final phase of engagement was used to formulate realistic and community-supported solutions to address housing challenges in the community. Working sessions with Town staff and stakeholders, a public meeting, and online survey were all part of this phase. A public meeting was held on September 21, 2021 and was widely publicized with approximately 40 flyers around town, email invitations to community organizations and other stakeholders, an ad in the Paradise Post, online press release, social media posts, and the Town's website.

In addition, the public review draft was widely publicized for public comment, included via emails to project followers and stakeholders and posted on the project website. The Public Review draft was made available for public comment for 30 days, consistent with Assembly Bill 215 requirements.

#### WHAT WE HEARD – PHASE 3 TESTING SOLUTIONS

- There is support for three-story buildings in the sewer service area if coupled with high-quality landscaping and building design requirements.
- The community is in favor of creating greenspaces on parcels on the outskirts of town that played a large role in wildfire spread.



## What is a Housing Element?



The Housing Element is part of the Town's General Plan and lays out a blueprint for how the Town will meet its housing goals. It is an opportunity for community members and policy makers to address local housing challenges and find solutions. It contains detailed information on local housing needs, existing resources and constraints, and updated policies and programs to address those needs. In addition, the Housing Element identifies sites that are suitable for new housing.

### Why is Paradise updating its Housing Element?

Under State law, each city, town, and county in California must update their Housing Element every eight years. The Housing Element must demonstrate how the jurisdiction will accommodate a certain number of dwelling units anticipated by the State (known as the Regional Housing Needs Allocation, or RHNA). The RHNA also stipulates how many units are needed at different affordability levels. The updated Housing Element must be approved by the California Department of Housing and Community Development (HCD). While the Housing Element must address specific state statutory requirements, it is ultimately a local plan and should reflect the vision and priorities of the community.

### What are the consequences of a non-updated Housing Element?

Housing needs change over time; an updated Housing Element provides an accurate picture of housing-related issues and makes jurisdictions eligible for more funding resources. If the Housing Element is not updated and certified, jurisdictions may be fined or have limits imposed on their ability to make housing-related decisions.

### How does the Housing Element relate to Paradise's Long-Term Recovery?

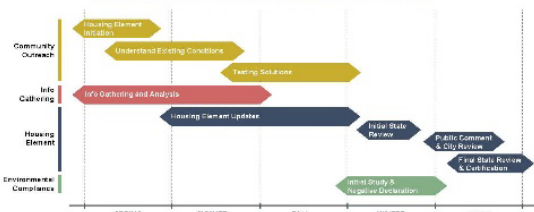
The State knows that Paradise is in recovery and has given the Town a RHNA that reflects this. Almost the entirety of Paradise's RHNA - 95 percent - is for rebuilding units that were lost in the Camp Fire. The Housing Element will also include goals, policies, and programs to help the town rebuild.

**Paradise's RHNA is 7,179 units (15% of units below market rate)**

#### Key Features in a Housing Element

- Goals, policies, objectives, and available resources or constraints to support existing and new housing across all income levels
- Analysis of special housing needs and existing affordable housing
- Inventory of sites suitable and available for new housing
- Strategies to affirmatively further fair housing

2022 Paradise Housing Element Update Timeline



## AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

Changes in Housing Element Law since the last cycle require the careful consideration of populations who have historically been excluded from planning processes and deliberate and proactive actions to remove barriers to participation. Consistent with HCD guidance, the following best practices were utilized to include public participation from all economic segments of the community.

- Consultations with CBOs to determine the methods, locations, messaging, and hours most conducive to engaging historically excluded communities, including low-income households and those with disabilities.
- Public meetings scheduled outside of working hours.
- Closed captioning provided at public meetings.

- In-person and remote meeting options with on-call tech support for those joining virtually.
- Robust and diverse meeting publicity implemented digitally and in person.
- Publication of a Housing Guide one pager (shown below) explaining terms in order to avoid jargon and make information more accessible.

## SUMMARY OF OUTREACH ACTIVITIES

This section summarizes key outreach activities. See Appendix E for more information.

### NEEDS ASSESSMENT

The 2021-2025 Consolidated Plan included a needs assessment that evaluated disproportionate housing needs. The plan was informed by feedback from local and regional stakeholders, such as the Housing Authority of Butte County, California Public Utilities Commission, Paradise Ridge Fire Safe Council, Butte County Public Health, and Butte County Continuum of Care. Citizen participation was solicited through the public comment period, public hearings, and stakeholder survey.

### STAKEHOLDER INTERVIEWS

See Table 7-1 for information on stakeholder interviews conducted as part of the Housing Element update.

### TOWN-WIDE COMMUNITY MEETING

The Town of Paradise, along with the Consultant team Urban Planning Partners, held a Community Engagement Meeting on September 21, 2021. The purpose of the meeting was to outline the Housing and Safety Element updates and to gain feedback from the community on potential policies. The meeting was held in a hybrid format. Town staff met in person at the Town hall with those who chose to participate in person, while the remainder of attendees and facilitators met on Zoom. The brief presentation about the contents and goals of the Housing and Safety

## 7. COMMUNITY PARTICIPATION

**TABLE 7-1: STAKEHOLDER INTERVIEWS**

| Organization                                 | Interview Date             | Interview Topic(s)   |
|--|----------------------------|--|
| Civitas                                      | April 8, 2021              | Housing needs, engagement best practices                                       |
| Harding Enterprises                          | April 26, 2021             | Economic feasibility, residential development constraints                      |
| Jim Rickards                                 | April 29, 2021             | Economic feasibility, residential development constraints                      |
| Rebuild Paradise                             | May 3, 2021 & July 7, 2021 | Housing needs and constraints, engagement best practices, economic feasibility |
| Hignell Companies                            | May 4, 2021                | Economic feasibility, residential development constraints                      |
| Community Housing Improvement Program (CHIP) | May 7, 2021                | Economic feasibility, residential development constraints                      |
| California Vocations                         | July 20, 2021              | Engagement best practices, housing special needs                               |
| Deer Creek Resources                         | July 28, 2021              | Wildfire prevention and adaption   |

Source: Urban Planning Partners, 2021.

Element update was followed by multiple breakout room discussions which covered topics surrounding housing density and availability, building materials and requirements, and wildfire resiliency. Following the discussion, groups reconvened to provide feedback on potential housing and resiliency policies, which related back to our discussions. Four community members attended the in-person meeting, and 11 more community members participated virtually.

### POLICY SURVEY

Following the Engagement meeting, a survey was publicized by the Town and distributed to community members and organizations, with the intent to reach more members of the community than were represented during the meeting. The questionnaire included a set of housing policies and a set of resiliency policies, the same policies which were presented during the meeting. Participants were asked to select any and all policies which they supported.

### STUDY SESSIONS AND PUBLIC HEARINGS

A Planning Commission study session was held on August 17, 2021 to present and receive feedback on housing needs identified to date and next steps engaging the community. Commissioners echoed that construction costs are a major constraint and were supportive of establishing an overlay zone in the sewer service area to accommodate higher densities while allowing flexibility.

The Public Review Draft Housing Element was available for public review and comment for over 30 days between December 4, 2021 and January 4, 2022. The availability of the draft Housing Element was publicized online and in the local newspaper. The Planning Commission received a presentation on the Public Review Draft Housing Element on January 13, 2022 and Town Council also had the opportunity to provide comments. Commissioners had questions about the source of some of the data used in the Housing Element and minor comments on typos. The public did not have any comments.

The Housing Element will be heard for adoption by the Planning Commission and Town Council at public hearings in Spring 2022.



# APPENDIX A: HOUSING NEEDS REPORT





## TABLE OF CONTENTS

|          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>Introduction .....</b>   | <b>1</b>  |
| <b>2</b> | <b>Summary of Key Facts .....</b>                                 | <b>3</b>  |
| <b>3</b> | <b>Looking to the Future: Regional Housing Needs .....</b>        | <b>5</b>  |
| 3.1      | Regional Housing Needs Determination .....                        | 5         |
| 3.2      | Regional Housing Needs Allocation .....                           | 5         |
| <b>4</b> | <b>Population, Employment and Household Characteristics .....</b> | <b>7</b>  |
| 4.1      | Population .....  | 7         |
| 4.2      | Age .....   | 8         |
| 4.3      | Race and Ethnicity .....  | 10        |
| 4.4      | Employment Trends .....   | 11        |
| 4.4.1    | Balance of Jobs and Workers .....                                 | 11        |
| 4.4.2    | Unemployment .....  | 16        |
| 4.5      | Household Characteristics .....                                   | 16        |
| 4.6      | Tenure .....  | 21        |
| 4.7      | Displacement .....  | 25        |
| <b>5</b> | <b>Housing Stock Characteristics .....</b>                        | <b>27</b> |
| 5.1      | Housing Types, Year Built, Vacancy, and Permits .....             | 27        |
| 5.2      | Assisted Housing Developments At-Risk of Conversion .....         | 30        |
| 5.3      | Substandard Housing .....   | 31        |
| 5.4      | Home and Rent Values .....  | 33        |
| 5.5      | Overpayment and Overcrowding .....                                | 35        |
| <b>6</b> | <b>Special Housing Needs .....</b>                                | <b>41</b> |
| 6.1      | Large Households .....  | 41        |
| 6.3      | Seniors .....   | 43        |
| 6.4      | People with Disabilities .....                                    | 43        |
| 6.5      | Homelessness .....  | 46        |
| 6.6      | Farmworkers .....   | 52        |
| 6.7      | Non-English Speakers .....  | 53        |



## LIST OF FIGURES

|  |    |
|--|----|
| Figure 1: Population Growth Trends, 1990-2020 .....  | 7  |
| Figure 2: Population by Age, 2000-2021 .....   | 9  |
| Figure 3: Senior and Youth Population by Race .....  | 10 |
| Figure 4: Population by Race, 2000-2021 .....  | 11 |
| Figure 5: Resident Employment by Industry – Pre-Fire .....                                       | 12 |
| Figure 6: Labor Force and Employment Efficiency .....  | 13 |
| Figure 7: Jobs in a Jurisdiction .....   | 14 |
| Figure 8: Household Income .....   | 15 |
| Figure 9: Unemployment Rate, 2010-2021 .....   | 16 |
| Figure 10: Households by Household Income Level .....  | 17 |
| Figure 11: Household Income Level by Tenure .....  | 18 |
| Figure 12: Poverty Status by Race, 2021 Local Census .....                                       | 19 |
| Figure 13: Poverty Status by Race, Pre-Fire .....  | 20 |
| Figure 14: Housing Tenure .....  | 21 |
| Figure 15: Housing Tenure 2000-2021 .....  | 22 |
| Figure 16: Housing Tenure by Race of Householder .....   | 23 |
| Figure 17: Housing Tenure by Age .....   | 24 |
| Figure 18: Housing Tenure by Housing Type .....  | 25 |
| Figure 19: Housing Type Trends .....   | 27 |
| Figure 20: Housing Units by Year Structure Built, Pre-Fire .....                                 | 28 |
| Figure 21: Housing Units by Year Structure Built, Post-Fire .....                                | 28 |
| Figure 22: Vacant Units by Type .....  | 29 |
| Figure 23: Substandard Housing Issues .....  | 32 |
| Figure 24: Home Values of Owner-Occupied Units .....   | 33 |
| Figure 25: Zillow Home Value Index (ZHVI) .....  | 34 |
| Figure 26: Median Contract Rent for Renter-Occupied Units .....                                  | 35 |
| Figure 27: Cost Burden by Tenure .....   | 36 |
| Figure 28: Cost Burden by Income Level .....   | 37 |
| Figure 29: Cost Burden by Race .....   | 38 |
| Figure 30: Cost Burden by Household Size .....   | 39 |
| Figure 31: Cost-Burdened Senior Households by Income Level .....                                 | 40 |
| Figure 32: Household Size by Tenure .....  | 41 |
| Figure 33: Female-Headed Households by Poverty Status .....                                      | 42 |
| Figure 34: Senior Households by Income and Tenure .....  | 43 |
| Figure 35: Population by Disability Status .....   | 44 |
| Figure 36: Unsheltered Point-in-Time (PIT) Count in Butte County .....                           | 47 |
| Figure 37: Homelessness by Household Type and Shelter Status, Chico, Paradise/Butte County ..... | 48 |
| Figure 38: Racial Group Share of General and Homeless Populations, Butte County .....            | 49 |
| Figure 39: Latinx Share of General and Homeless Populations, Butte County .....                  | 50 |
| Figure 40: Characteristics for the Population Experiencing Homelessness, Butte County .....      | 51 |
| Figure 41: Farm Operations and Farm Labor by County, Butte County .....                          | 53 |

## LIST OF TABLES

|  |    |
|--|----|
| Table 1: Final Town of Paradise Allocation by Income Tier .....          | 6  |
| Table 2: Population Growth Trends .....                                  | 8  |
| Table 3: Occupied Housing Units by Income Level.....                     | 18 |
| Table 4: Housing Permitting .....  | 30 |
| Table 5: Assisted Units and Affordability Status .....                   | 31 |
| Table 6: Population with Developmental Disabilities by Age .....         | 45 |
| Table 7: Population with Developmental Disabilities by Residence.....    | 45 |
| Table 8: Students in Local Public Schools Experiencing Homelessness..... | 52 |
| Table 9: Migrant Worker Student Population .....                         | 52 |



# 1 INTRODUCTION

In 2018, Paradise and some surrounding areas in Butte County faced one of the most destructive wildfires in California history, resulting in the loss of 85 lives, nearly 19,000 structures, the burning of more than 150,000 acres over two weeks, and \$9 billion in insurance claims. The number of people drawn to the region over the past 30 years had steadily increased year by year, but the fire caused an enormous housing shortage. The rebuild process is an integral part of this Housing Element to ensure that housing of various types and sizes is created for residents across all income levels, ages, and abilities to have a place to call home.

Required by the State, the Housing Element identifies what the existing housing conditions and community needs are, reiterates goals, and creates a plan for more housing. This report analyzes the housing needs, setting the stage for the development of goals and policies. An Excel Workbook ("Data Packet") accompanies this report. Figures in the report cite their corresponding tables in the Data Packet Workbook, which readers may consult for reference.



## 2 SUMMARY OF KEY FACTS

- **Population** – Generally, the population of Paradise had remained relatively constant, plus or minus a few hundred people, between 2000 and 2018. The Town was projected to reach a population of 29,547 by 2030, a growth rate of 0.7 percent per year, which is about half as much growth as was expected for the County. However, the 2018 Camp Fire led to a population decrease of approximately 21,600 residents, leaving the Town with only 4,631 residents.
- **Age** – Respondents of the Town of Paradise Local Census Survey imply that the percentage of the population aged over 65 has increased significantly since the Camp Fire, while the proportion of all other age groups have decreased.
- **Race/Ethnicity** – Since 2000, the percentage of residents in Paradise identifying as White has decreased but remains the vast majority. The percentage of residents of all other races and ethnicities has *increased*, estimated to be 14 percent compared to about 9 percent in 2000. In absolute terms, the Hispanic or Latinx population increased the most, from 4 percent of the population in 2000 to an estimated 7 percent.
- **Employment** – Historically, the highest percentage of jobs in Paradise and Butte County have been in Health & Educational Services at 31 percent and 26 percent, respectively. Between 2002 and 2015, the number of jobs in Paradise increased by approximately 17 percent, and then dropped again by 7 percent between 2015 and 2018. After the 2018 Camp Fire, we expect that many jobs, especially related to the hospital, were lost or moved elsewhere in the County due to the destruction of the fire.
- **Number of Homes** – Paradise’s housing stock in 2015 was made up of 69 percent single family detached homes, 16 percent mobile homes, and 9 percent multifamily homes with 2 to 4 units. Until the Camp Fire, growth in each category had remained consistent. The Camp Fire led to significant decreases in all housing stock, but multi-family homes with 2 to 4 units saw the least percent change. In 2020, the housing stock consisted of 68 percent single family detached homes (-1 percent), 22 percent multifamily homes with 2 to 4 units (up 13 percent from pre-Fire), 8 percent multifamily homes with 5 or more units (up 5 percent from pre-Fire), 2 percent single family attached homes, and 1 percent mobile homes (which is the sharpest decline in percentage at -16 percent).
- **Home Prices** –The largest proportion of homes in Paradise are valued between \$250,000 and \$500,000. Since 2001, the typical home value in Paradise has increased 95 percent from \$155,433 to \$303,128.
- **Housing Type** – 87 percent of households in permanent “stick-built” homes are homeowners, while 90 percent of households in manufactured homes are homeowners, and a slightly lower 83 percent of those living in temporary housing structures are homeowners. This data is complicated by the fact that many households are waiting for their permanent homes to be rebuilt, so they are living in temporary shelter, but do own property in the Town.
- **Displacement** – The meaning of displacement has a unique definition in Paradise due to the widespread displacement of residents caused by the 2018 Camp Fire, which displaced 13,314 households. Of those who moved census tracts, 38 percent (2,148 households) were senior-led households. Low-income households represented 41 percent of households that relocated,

compared to 50 percent of households that stayed, indicating that lower-income households were less likely to move.

- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Paradise, approximately 18 percent of people have a disability of any kind. Additionally, 17 percent of households with five or more people are very low-income, earning less than 50 percent of the area median income (AMI).

#### **Note on Data**

*The timing of the fire and the subsequent decline in population make collection of demographic and socioeconomic data challenging. Many of the sources typically used to assess housing needs have not collected data since the 2018 Camp Fire, which drastically changed the town's population and housing landscape; the three-year and five-year American Community Survey (ACS) data do not reflect impacts of the fire. To account for this, the Town of Paradise, in partnership with the Rural Community Assistance Corporation (RCAC), conducted a Local Census Survey in 2021. There were 1,415 respondents to the survey, which does not reflect the entire population living in Paradise. In addition, some survey respondents lived in Paradise prior to the 2018 Camp Fire, now live elsewhere, but wish to return if possible.*

*The information below primarily relies on the Town of Paradise Local Census Survey for 2021 data and ACS estimates for prior years. Additional sources referenced include the Butte County Association of Governments (BCAG), the US Department of Housing and Urban Development (HUD), various Town documents, interviews with community leaders, and other sources. Unless otherwise specified, the data in this report is specific to the Town of Paradise.*

#### **Note on Figures**

*Any figure that does not specify geography in the figure name represents data for the Town of Paradise.*



## 3 LOOKING TO THE FUTURE: REGIONAL HOUSING NEEDS

### 3.1 REGIONAL HOUSING NEEDS DETERMINATION

For the eight-year time frame covered by this Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region's (Butte County's) housing need as 15,506 units: 6,703 units to accommodate regular growth and an additional 8,803 units to rebuild those lost in the 2018 Camp Fire. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing.<sup>1</sup> This calculation, known as the Regional Housing Needs Determination (RHND), is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need.

### 3.2 REGIONAL HOUSING NEEDS ALLOCATION

The Regional Housing Needs Allocation (RHNA) process is mandated by California law and requires all local jurisdictions to plan for their 'fair share' of housing units at all affordability levels. This Regional Housing Needs Plan (RHNP) is part of the Butte County Association of Governments' (BCAG) 6th Cycle RHNA, sometimes referred to as the "2020 update of the BCAG RHNP," covering the period from December 31, 2021, to June 15, 2030, and assigning housing need allocations to the Cities of Biggs, Chico, Gridley, Oroville, the Town of Paradise, and unincorporated Butte County.

State Housing Element Law requires BCAG to develop a methodology that calculates the number of housing units assigned to each city/town and the unincorporated portion of the county and distributes each jurisdiction's housing unit allocation among four affordability levels.

The fire rebuild allocation is unique to the region during the 6th Cycle RHNA process and stems from the November 2018 Camp Fire, which destroyed over 14,500 homes in the Town of Paradise and unincorporated Butte County. In 2020, just as this RHNP was being completed, the region experienced another deadly and destructive wildfire season, which included the North Complex Fire that destroyed more than 1,500 homes. These units are not accounted for in the current RHNA. For more information on the RHNA process this cycle, see BCAG's website: <http://www.bcag.org/Planning/Regional-Housing-Need-Plan/2020-Regional-Housing-Need-Plan/index.html>

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<sup>1</sup> HCD divides the RHND into the following four income categories:

Very Low-income: 0-50% of Area Median Income

Low-income: 50-80% of Area Median Income

Moderate-income: 80-120% of Area Median Income

Above Moderate-income: 120% or more of Area Median Income

In December 2020, The Town of Paradise received the following allocation of housing needs, broken down by income category as shown in Table 1:

**Table 1: Final Town of Paradise Allocation by Income Tier**

| Income Group                                    | Town of Paradise Units | Butte County Units | Town of Paradise Percent |
|---|------------------------|--------------------|--------------------------|
| Very Low Income (<50 percent of AMI)            | 383                    | 2,081              | 5.3%                     |
| Low Income (50 percent-80 percent of AMI)       | 374                    | 1,290              | 5.2%                     |
| Moderate Income (80 percent-120 percent of AMI) | 1,319                  | 3,202              | 18.4%                    |
| Above Moderate Income (>120 percent of AMI)     | 5,103                  | 8,933              | 71.1%                    |
| <b>Total</b>                                    | <b>7,179</b>           | <b>15,506</b>      | <b>100.0%</b>            |

*Source: Butte County Association of Governments Regional Housing Needs Plan, December 2020.*

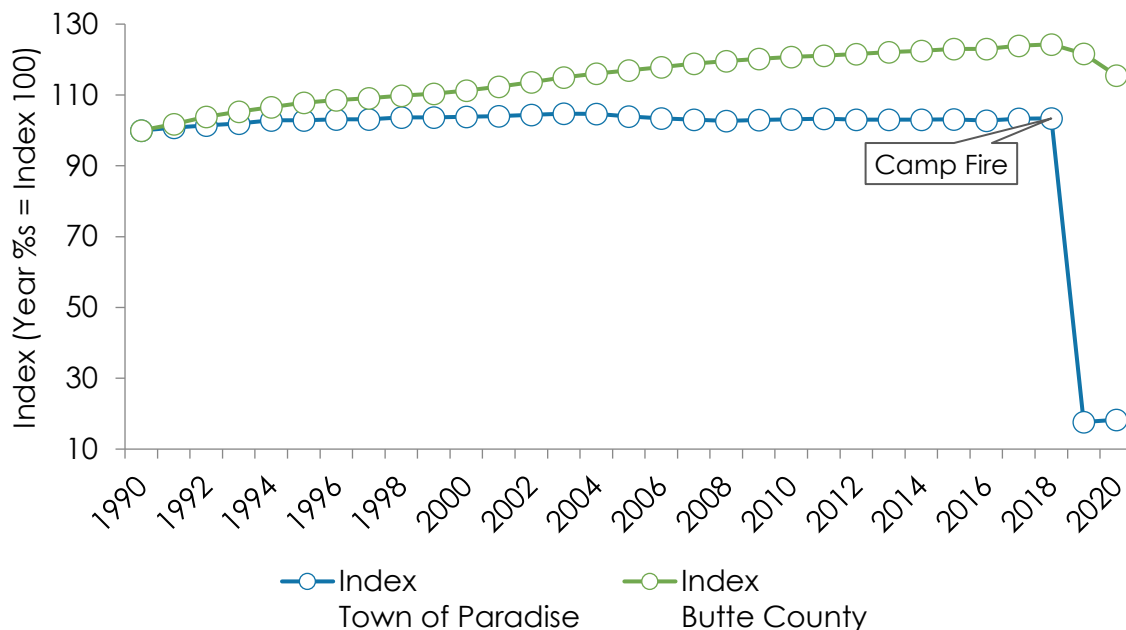
The timing of the fire and the subsequent decline in population make collection of demographic and socioeconomic data challenging. Many of the sources typically used to assess housing needs have not collected data since the 2018 Camp Fire, which drastically changed the town's population and housing landscape; the three-year and five-year American Community Survey (ACS) data do not reflect impacts of the fire. To account for this, the Town of Paradise, in partnership with the Rural Community Assistance Corporation (RCAC), conducted a Local Census Survey in 2021. There were 1,415 respondents to the survey, which does not reflect the entire population living in Paradise. In addition, some survey respondents lived in Paradise prior to the 2018 Camp Fire, now live elsewhere, but wish to return if possible.

The information below primarily relies on the Town of Paradise Local Census Survey for 2021 data and ACS estimates for prior years. Additional sources referenced include the Butte County Association of Governments (BCAG), the US Department of Housing and Urban Development (HUD), various Town documents, interviews with community leaders, and other sources. Unless otherwise specified, the data in this report is specific to the Town of Paradise.

## 4 POPULATION, EMPLOYMENT AND HOUSEHOLD CHARACTERISTICS

### 4.1 POPULATION

The population of Paradise has remained relatively constant, within a few hundred people, between 2000 and 2018. Based on population projections prepared by BCAG in their 2014-2040 Regional Growth Forecast, the Town was projected to reach a population of 29,547 by 2030, a growth rate of 0.7 percent per year. Paradise was expected to grow slower than the other five cities in the County and the unincorporated areas, about half as much as the County as a whole, which expected a 1.4 percent population increase per year. However, this all changed after the 2018 Camp Fire, which destroyed an estimated 95 percent of the town's structures and led to a population decrease of approximately 21,600 residents, or an 82 percent decrease according to the Camp Fire Regional Economic Impact Analysis (see Figure 1).



**Figure 1: Population Growth Trends, 1990-2020**

Source: California Department of Finance, E-4, E-5, and E-8 series Note: The data shown on the graph represents population for the jurisdiction and county indexed to the population in the first year shown. The data points represent the relative population growth in each of these geographies relative to their populations in that year.

DOF uses the decennial census to benchmark subsequent population estimates.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-01.

Before the Camp Fire, the population of Paradise made up 12 percent of Butte County with a population estimate of 26,256 in the beginning of 2018 (see Table 2). After the fire, the population estimate dropped to 4,485, only 2 percent of the County. This suggests that many previous Paradise residents have moved elsewhere in the County. For those residents that stayed in the region, inter-region population shifts found in the Camp Fire Regional Economic Impact Analysis indicate that affected residents relocated primarily to Chico and Oroville, or, to a lesser extent, to incorporated and unincorporated communities in Glenn and Tehama counties immediately following the Fire. The City of Chico incurred the greatest population increase of any jurisdiction in the region, gaining about 18,000 new residents, or a 20 percent increase in population.

**Table 2: Population Growth Trends**

| Geography    | 2000    | 2005    | 2010    | 2015    | 2018    | 2019<br>(Post-Fire) | 2020    |
|--------------|---------|---------|---------|---------|---------|---------------------|---------|
| Paradise     | 26,371  | 26,403  | 26,118  | 26,201  | 26,256  | 4,485               | 4,631   |
| Butte County | 202,658 | 212,955 | 219,967 | 223,940 | 226,374 | 221,521             | 210,291 |

Source: California Department of Finance, E-5 series and E-8 Series.

For more years of data, please refer to the Data Packet Workbook, Table POPEMP-01.

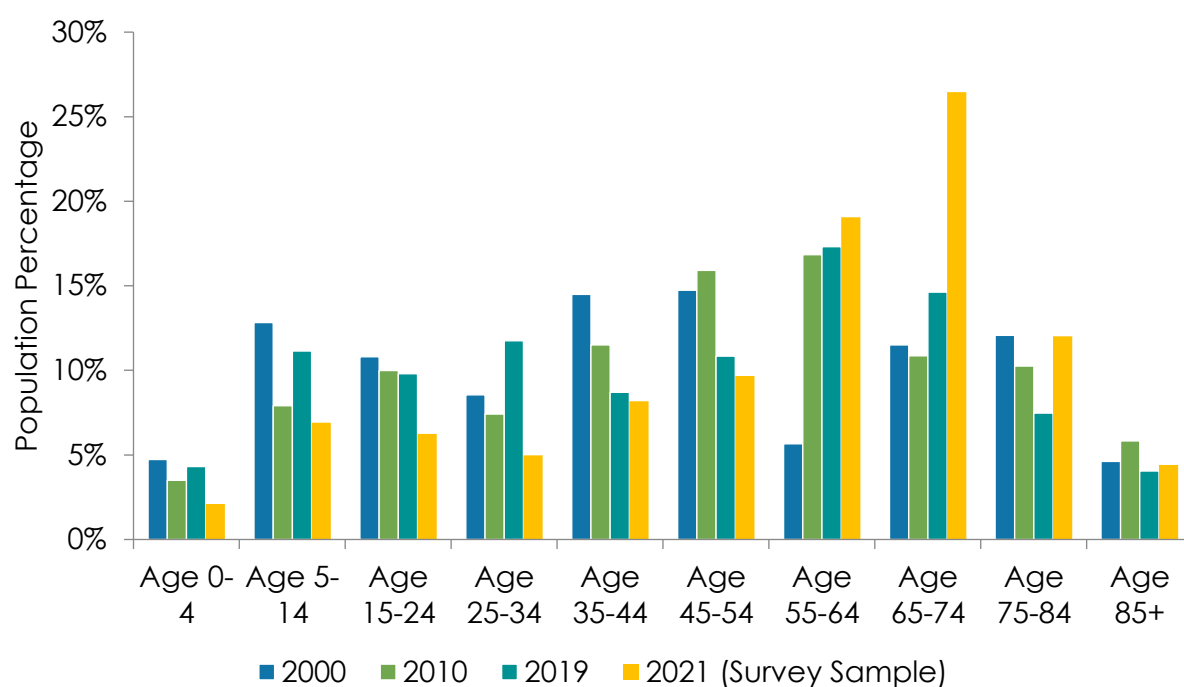
## 4.2 AGE

The distribution of age groups in a community shapes what types of housing it may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a move by many to age-in-place or downsize to stay within their communities, which can mean more multi-family and accessible units are also needed.

In Paradise, respondents of the Town of Paradise Local Census Survey imply that the percentage of the population aged over 65 has increased significantly since the Camp Fire, while all other age groups have decreased (see Figure 2). However, it should be noted that it is possible that this age group was over-represented in the survey.

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. The 2021 Town of Paradise Local Census Survey shows that people of color<sup>2</sup> make up only 4 percent of seniors and 5 percent of youth under 18 (see Figure 3).

<sup>2</sup> Here, we count all non-White racial groups. Those who self-identified as “Hispanic or Latinx” may also be members of any racial group.

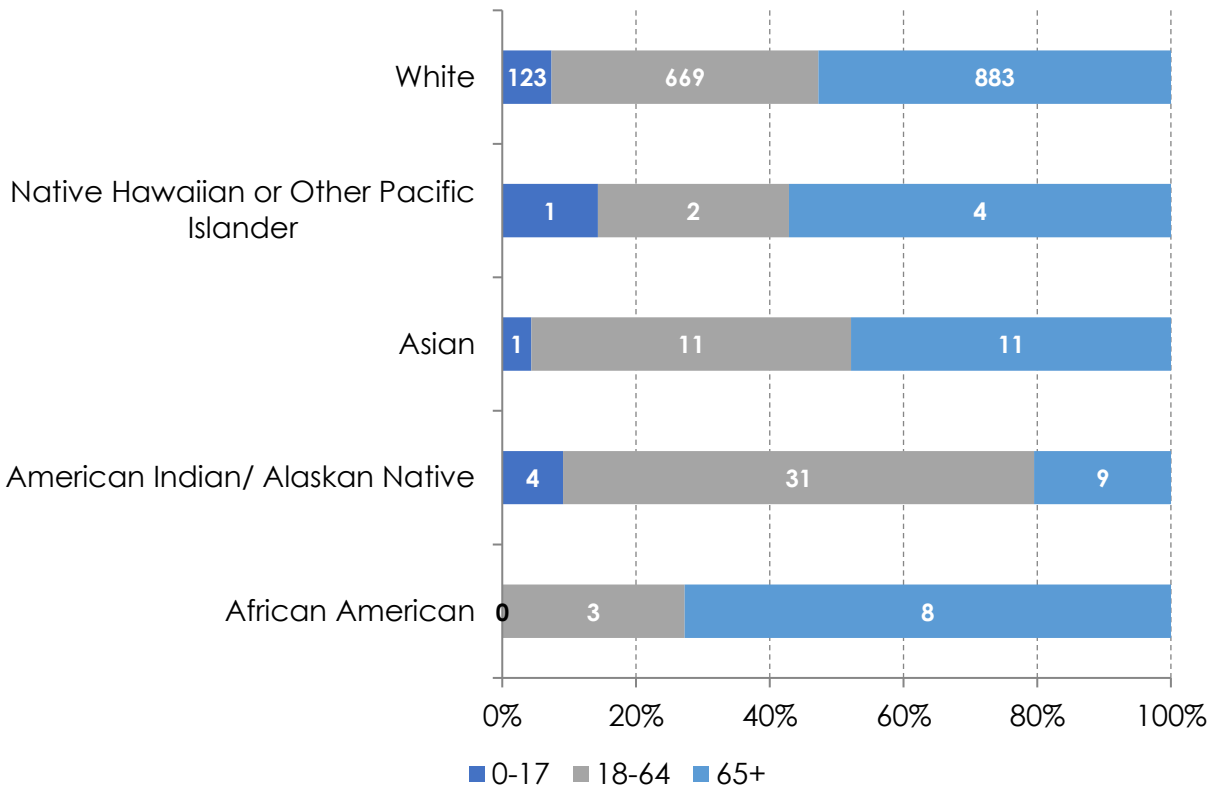


**Figure 2: Population by Age, 2000-2021**

*Universe: Total population*

*Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001; Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.*



**Figure 3: Senior and Youth Population by Race**

*Universe: Total population*

*Notes: For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All racial categories on this graph represent those who identify with that racial category and may also identify with Hispanic/Latinx ethnicity. An overlapping category of Hispanic / non-Hispanic groups has not been shown in the graph to avoid double counting in the stacked bar chart.*

*Source: Town of Paradise Local Census Survey 2021.*

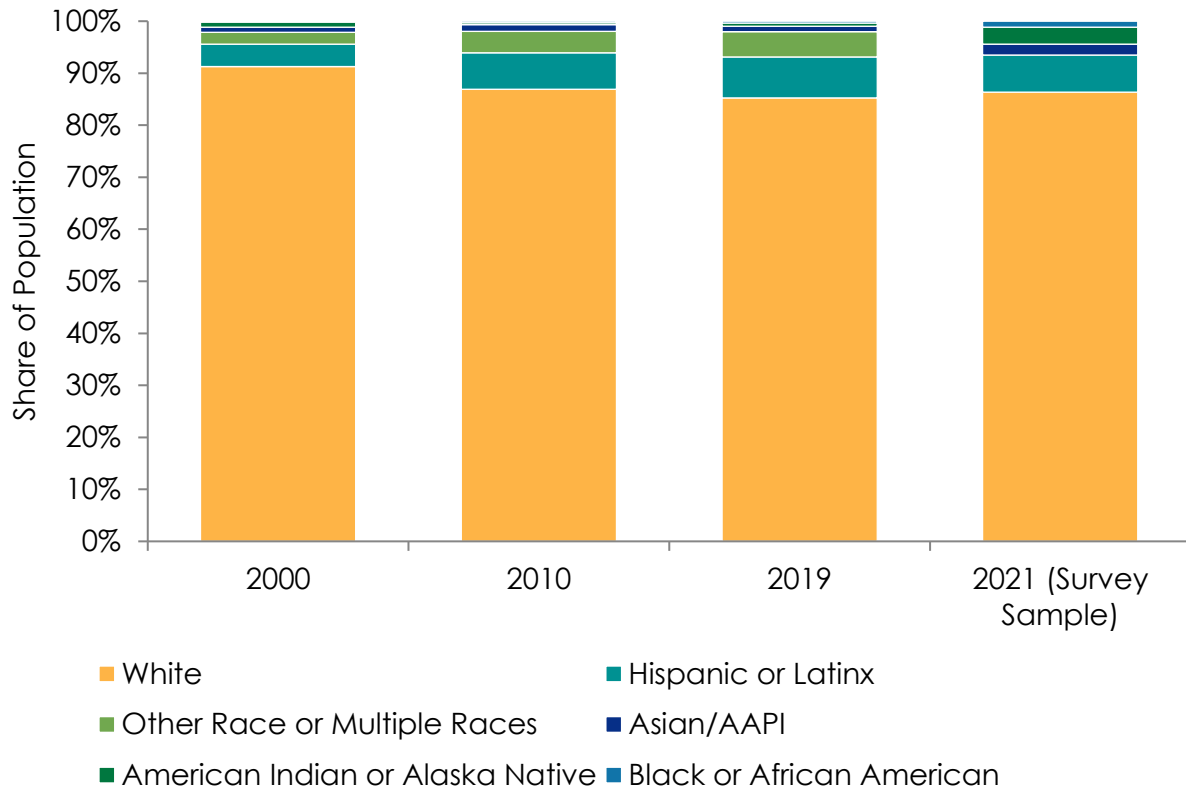
*For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.*

## 4.3 RACE AND ETHNICITY

Understanding the racial makeup of a community and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today.<sup>3</sup> Since 2000, the percentage of residents in Paradise identifying as White has decreased but remains the vast majority.

<sup>3</sup> See, for example, Rothstein, R. (2017). *The Color of Law: A Forgotten History of How Our Government Segregated America*. New York, NY & London, UK: Liveright Publishing.

The percentage of residents of all other races and ethnicities has *increased*, with the 2021 survey sample of all non-White racial categories standing at 14 percent compared to 9 percent in 2000 (see Figure 4). In absolute terms, the Hispanic or Latinx population increased the most, from 4 percent of the population in 2000 to an estimated 7 percent.



**Figure 4: Population by Race, 2000-2021**

Universe: Total population

Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002; Town of Paradise Local Census Survey 2021.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-02.

## 4.4 EMPLOYMENT TRENDS

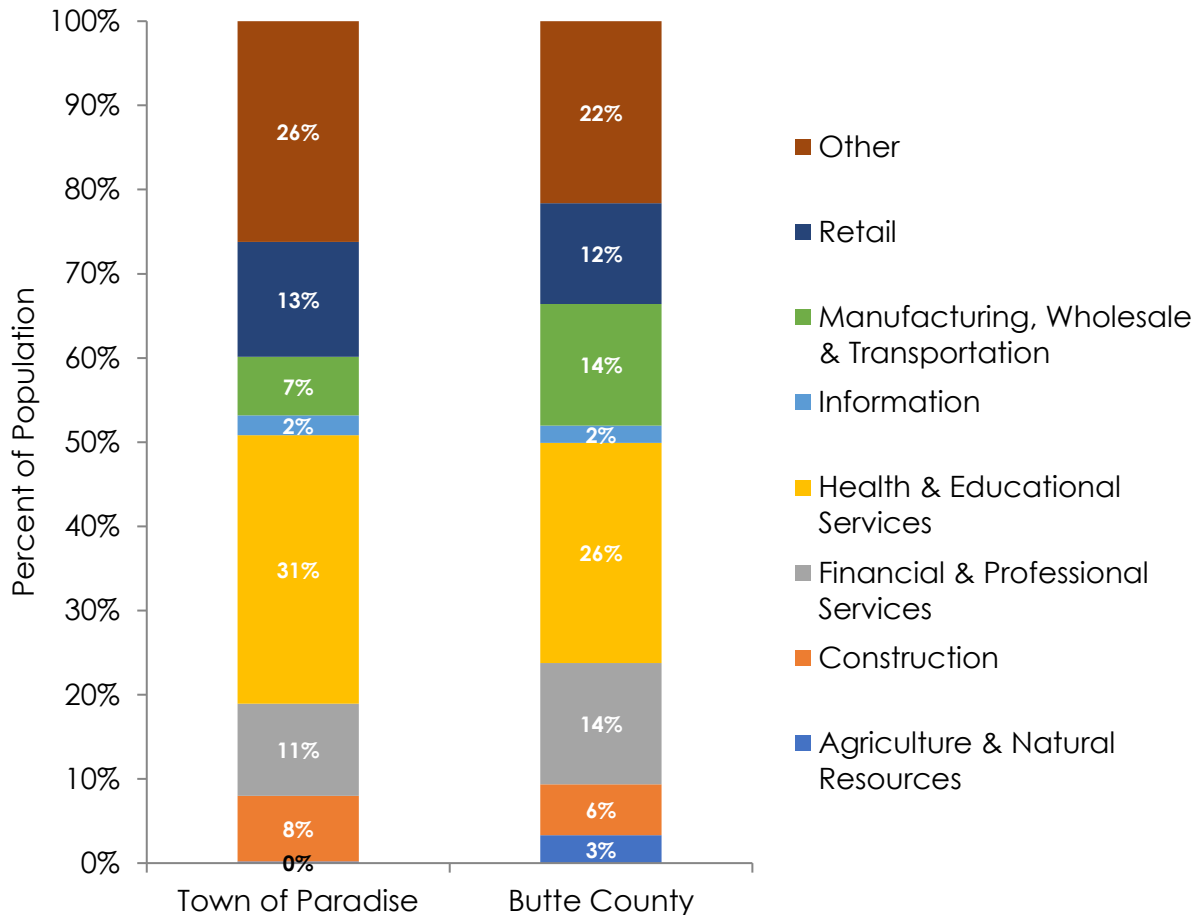
### 4.4.1 BALANCE OF JOBS AND WORKERS

A city or town houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city or town may have job sites that employ residents from the same city or town, but more often employ workers commuting from outside of it. Smaller towns typically have more employed residents than jobs there and export workers (while larger cities tend to have a surplus of jobs and import workers).



## APPENDIX A

The last Census Data, collected prior to the 2018 Camp Fire, can give us some indication of the employment trends in Paradise and surrounding areas. Historically, the highest percentage of jobs in Paradise and Butte County have been in Health & Educational Services at 31 percent and 26 percent, respectively (see Figure 5).



**Figure 5: Resident Employment by Industry – Pre-Fire**

Universe: Total population

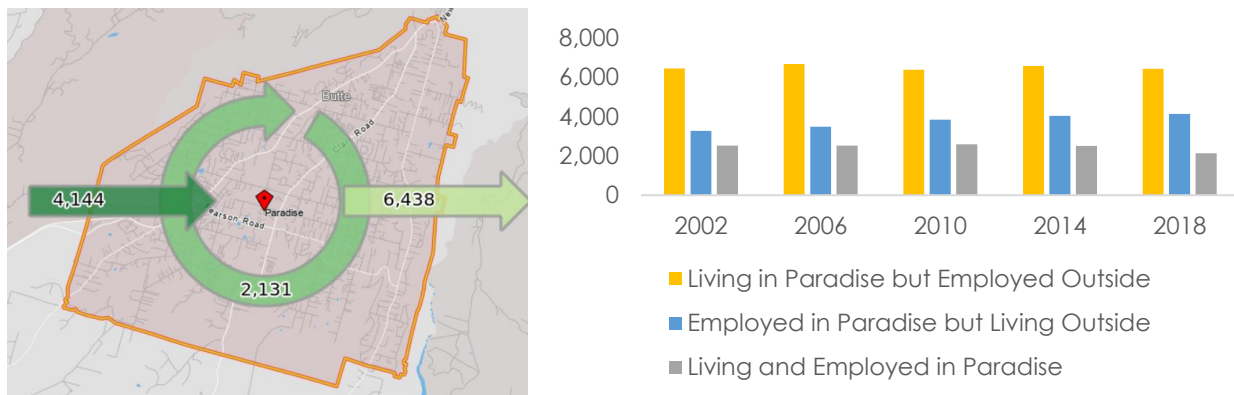
Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables: Agriculture & Natural Resources: C24030\_003E, C24030\_030E; Construction: C24030\_006E, C24030\_033E; Manufacturing, Wholesale & Transportation: C24030\_007E, C24030\_034E, C24030\_008E, C24030\_035E, C24030\_010E, C24030\_037E; Retail: C24030\_009E, C24030\_036E; Information: C24030\_013E, C24030\_040E; Financial & Professional Services: C24030\_014E, C24030\_041E, C24030\_017E, C24030\_044E; Health & Educational Services: C24030\_021E, C24030\_024E, C24030\_048E, C24030\_051E; Other: C24030\_027E, C24030\_054E, C24030\_028E, C24030\_055E.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.

In some areas in California, the housing affordability crisis has illustrated that imbalances between the local jobs and worker populations can get out of sync. One measure of this is the relationship between *workers* and *jobs*. A city or town with a surplus of workers “exports” workers to other parts of the region, while a city or town with a surplus of jobs must conversely “import” them. Prior to the 2018 Camp Fire, Paradise consistently had more residents living in Paradise and working outside of the town from 2002

to 2018 and a comparatively low amount of people employed in Paradise but living outside (see Figure 6). Therefore, many residents of Paradise likely work elsewhere in Butte County or the surrounding area.



**Figure 6: Labor Force and Employment Efficiency**

*Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are cross walked to jurisdictions and summarized.*

*Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018.*

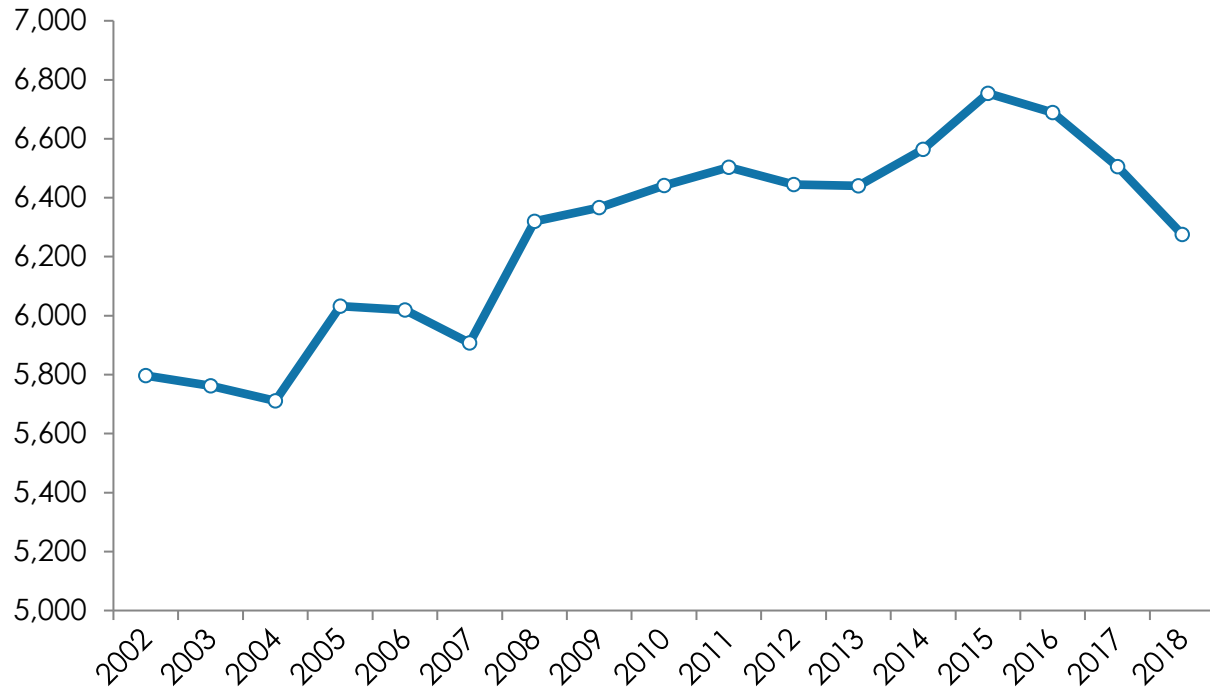
*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.*

Between 2002 and 2015, the number of jobs in Paradise increased by 17 percent, and then dropped again by 7 percent between 2015 and 2018 (see Figure 7). After the 2018 Camp Fire, we expect that many jobs, especially related to Feather River Hospital, were lost or moved elsewhere in the County due to the destruction of the fire.

Census estimations from just before the 2018 Camp Fire demonstrate that the concentration of jobs in Paradise were in the East near the now-closed Feather River Hospital (see Image 1). Feather River Hospital was previously the leading employer in Paradise. Over 1,000 part-time and full-time employees were laid off following the immediate closure. After the fire, employees were transferred to nearby clinics in Chico and Marysville or were offered a job with Adventist Medical if they were willing to relocate.<sup>4</sup>

<sup>4</sup> George, K. (2019) "Feather River hospital to close, over 1,200 employees to be laid off" The Orion, Chico CA, <https://theorion.com/78106/news/feather-river-hospital-to-close-over-1200-employees-to-be-laid-off/>

## APPENDIX A

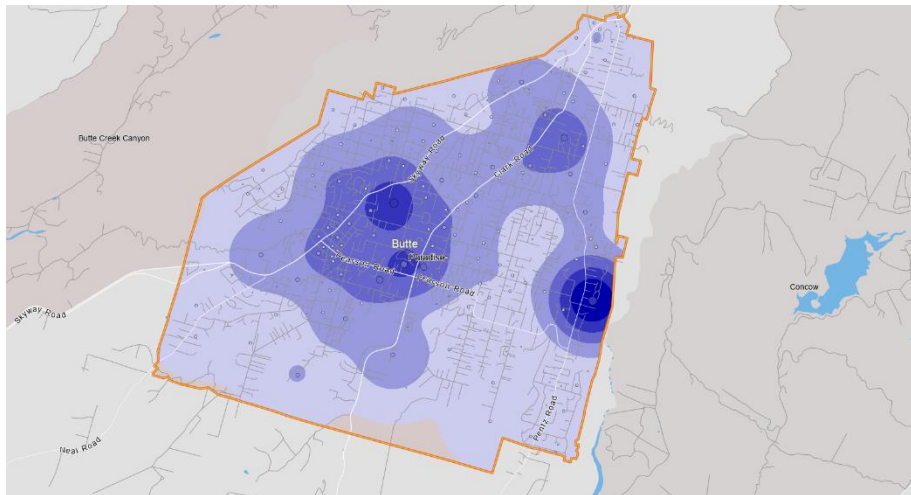


**Figure 7: Jobs in a Jurisdiction**

*Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.*

*Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018.*

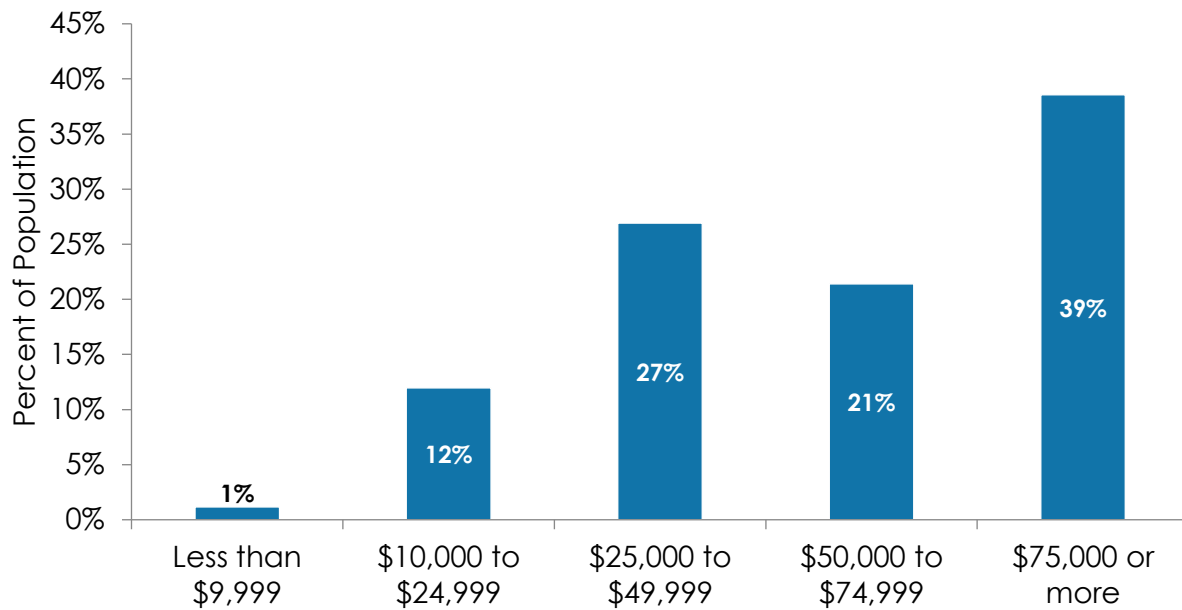
*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.*



*Source: U.S. Census Bureau On The Map Work Area Profile Analysis, 2018.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.*

Figure 8, from the Town of Paradise Local Census Survey of 2021, shows a breakdown of different wage groups, offering additional insight into local dynamics since the fire.<sup>5</sup>



**Figure 8: Household Income**

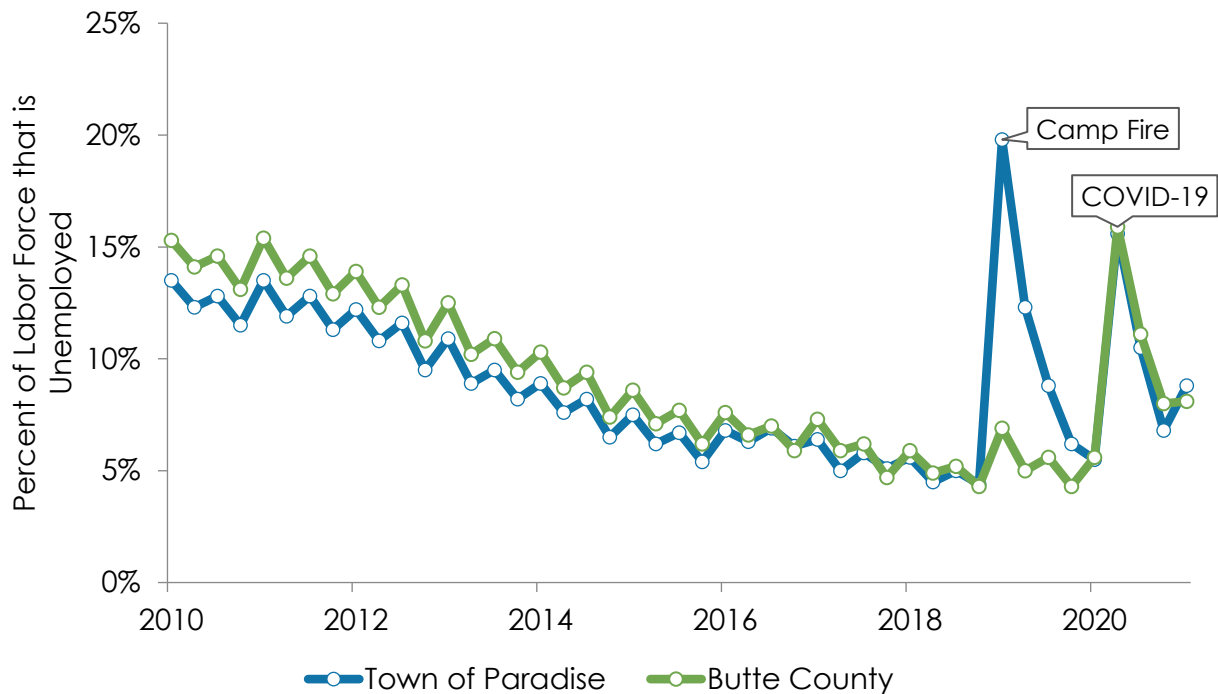
Source: Town of Paradise Local Census Survey 2021.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

<sup>5</sup> The source table is top coded at \$75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

#### 4.4.2 UNEMPLOYMENT

In Paradise, there was a nearly 5 percentage point decrease in the unemployment rate between January 2010 and January 2021. The Town experienced a sharp rise in unemployment in 2018 due to the Camp Fire, and again in 2020 due to impacts related to the COVID-19 pandemic, though the Town saw general improvement and recovery in the months following both downturns (see Figure 9).



**Figure 9: Unemployment Rate, 2010-2021**

*Universe: Civilian noninstitutional population ages 16 and older*

*Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data. Only not seasonally adjusted labor force (unemployment rates) data are developed for cities and CDPs.*

*Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.*

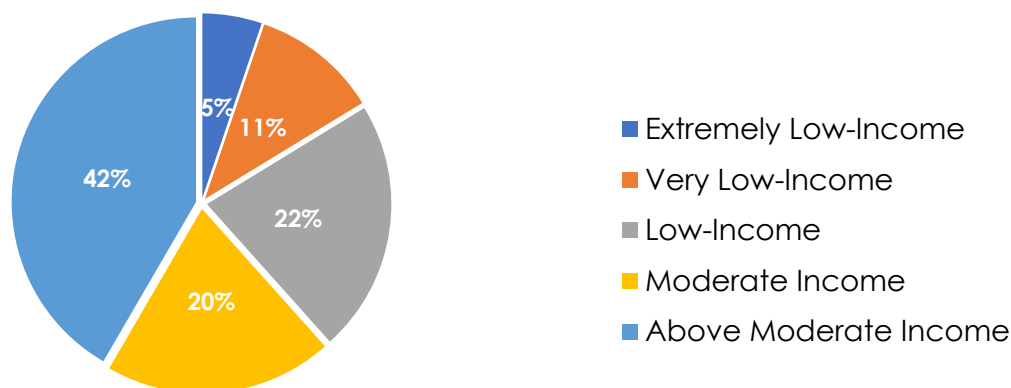
*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-15.*

### 4.5 HOUSEHOLD CHARACTERISTICS

The majority of households who took the Town of Paradise Local Census of 2021 – 62 percent – are considered moderate income or above moderate income, compared to 5 percent who reported extremely low incomes (see Figure 10).

Regionally, in Butte County, pre-fire data from 2017 show that 14 percent of households were considered extremely-low income (i.e., households that earn less than 30 percent AMI). In Butte County in 2021, 30 percent AMI is the equivalent to the annual income of \$26,500 for a family of four. Many

households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers, and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries. People living on fixed income like seniors or those with disabilities also often fall into lower AMI categories.



**Figure 10: Households by Household Income Level**

*Universe: Households who took the Town of Paradise 2021 Local Census Survey*

*Notes: Income groups are based on HUD calculations for Area Median Income (AMI). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise 2021 Local Census Survey.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-01.*

Because of the possibility of sample bias in the Town of Paradise Local Census of 2021, for the purposes of estimating the projected number of extremely low-income households, we are following HCD's guidance to assume that 50 percent of the Town of Paradise's very low-income RHNA is for extremely low-income households. According to the data shown below (Table 3), 383 units are allocated for very low-income households, or 5 percent of the total RHNA. Extremely low-income households are then estimated to represent 50 percent of this allocation, which is equivalent to 192 extremely low-income households, or approximately 3 percent of the population.<sup>6</sup>

<sup>6</sup> Local jurisdictions are required to provide an estimate for their projected extremely low-income households in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50 percent AMI) to calculate their projected extremely low-income households. For more information, visit HCD's Building Blocks page on Extremely Low-Income Housing Needs.

Table 3: Occupied Housing Units by Income Level

| Income Group                         | Town of Paradise Units | Butte County Units | Town of Paradise Percent |
|--------------------------------------|------------------------|--------------------|--------------------------|
| Very Low Income (<50% of AMI)        | 383                    | 2,081              | 5.3%                     |
| Low Income (50%-80% of AMI)          | 374                    | 1,290              | 5.2%                     |
| Moderate Income (80%-120% of AMI)    | 1,319                  | 3,202              | 18.4%                    |
| Above Moderate Income (>120% of AMI) | 5,103                  | 8,933              | 71.1%                    |
| <b>Total</b>                         | <b>7,179</b>           | <b>15,506</b>      | <b>100.0%</b>            |

Universe: Occupied housing units

Source: U.S. Department of Housing and Urban Development (HUD).

Throughout the region, there are disparities between the incomes of homeowners and renters. In Paradise, the largest proportion of renters falls in the *Low-Income* group, while the largest proportion of homeowners are found in the *Above Moderate Income* group (see Figure 11).

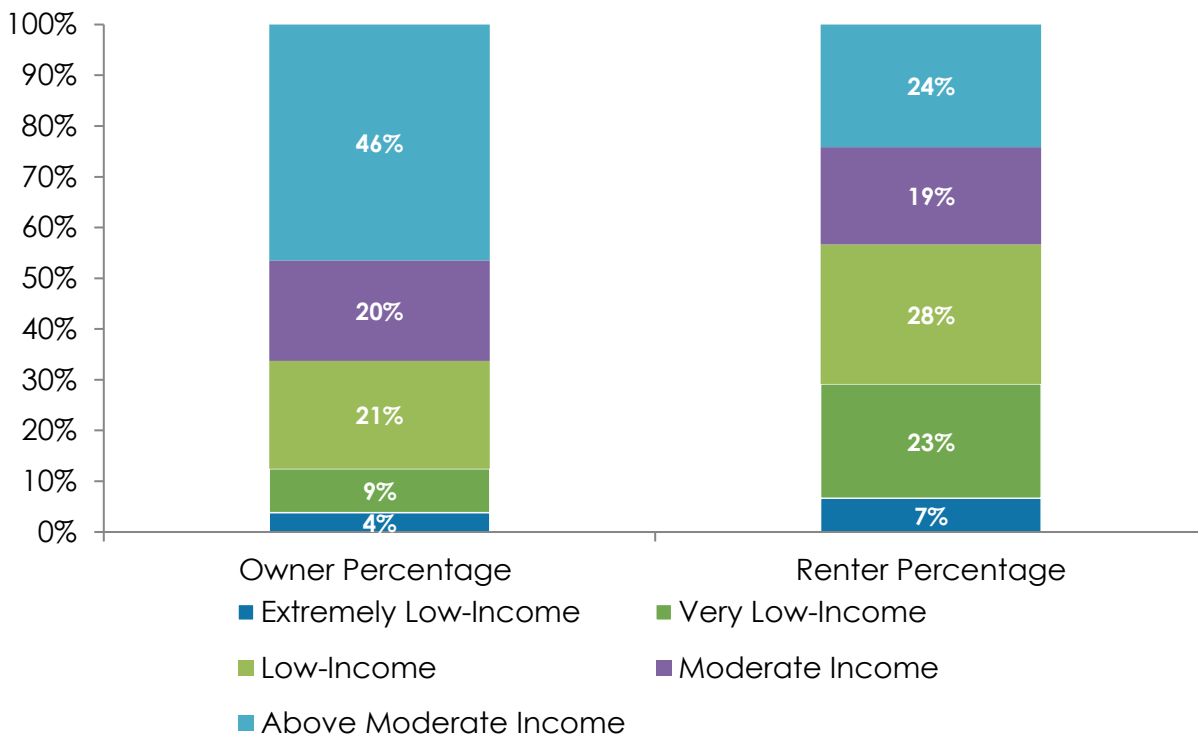


Figure 11: Household Income Level by Tenure

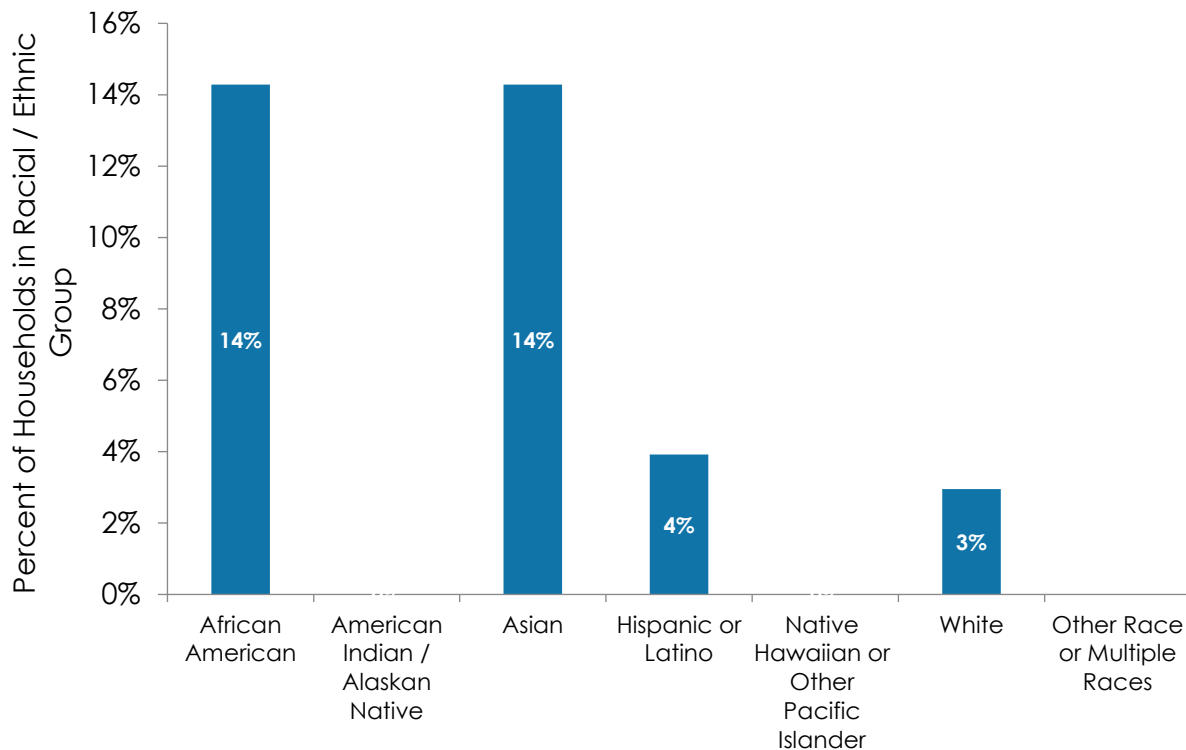
Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different areas. The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release, Town of Paradise Local Census Survey 2021.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-17.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.<sup>7</sup> These economic disparities also leave communities of color at higher risk for housing insecurity, displacement, or homelessness. In Paradise, African American and Asian (both Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by Hispanic or Latino residents (see Figure 12). Compared to the Population Percentage by Race in Figure 4, White (Hispanic and Non-Hispanic) are underrepresented in the population with poverty status and all other racial groups, except Hispanic or Latinx, are overrepresented. However, these projections are based on the Town of Paradise 2021 Local Census Survey, which was only able to capture data for seven African American households and fourteen Asian households. Figure 13 shows the Census Data that was captured prior to the 2018 Camp Fire, for comparison.



**Figure 12: Poverty Status by Race, 2021 Local Census**

*Universe: Population for whom poverty status is determined*

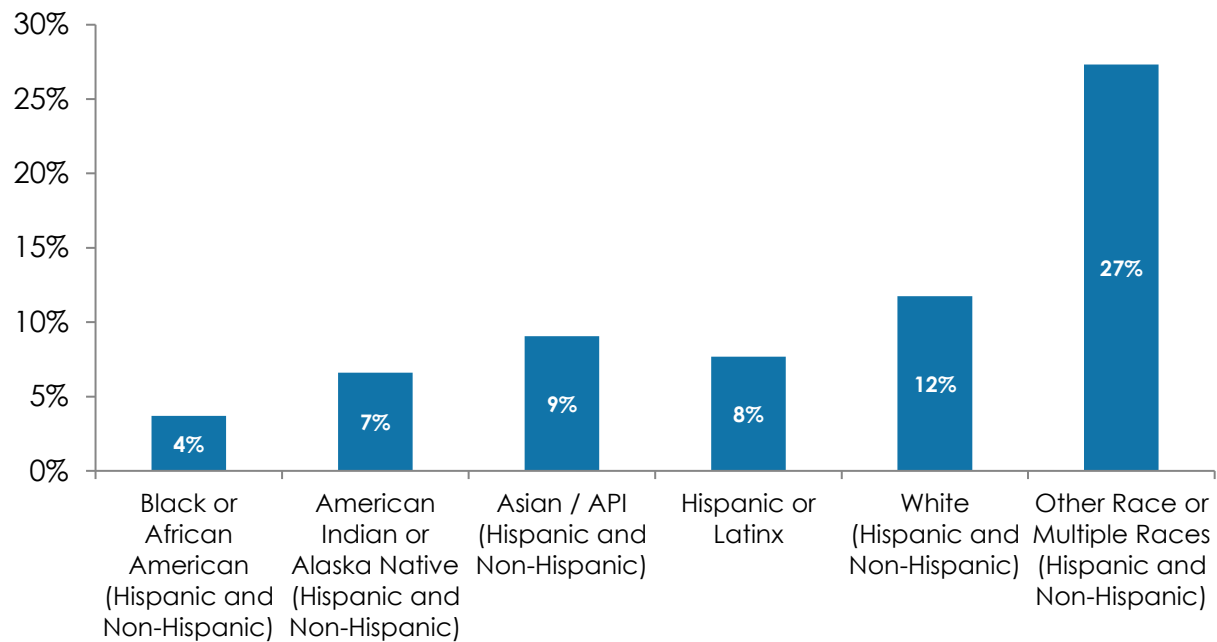
*Notes: This chart uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. -The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction.*

*Source: Town of Paradise 2021 Local Census Survey.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.*

<sup>7</sup> Solomon, D., Maxwell, C., and Castro, A., 2019. Systemic Inequality: Displacement, Exclusion, and Segregation: How America's Housing System Undermines Wealth Building in Communities of Color. *Center for American Progress*.





**Figure 13: Poverty Status by Race, Pre-Fire**

*Universe: Population for whom poverty status is determined*

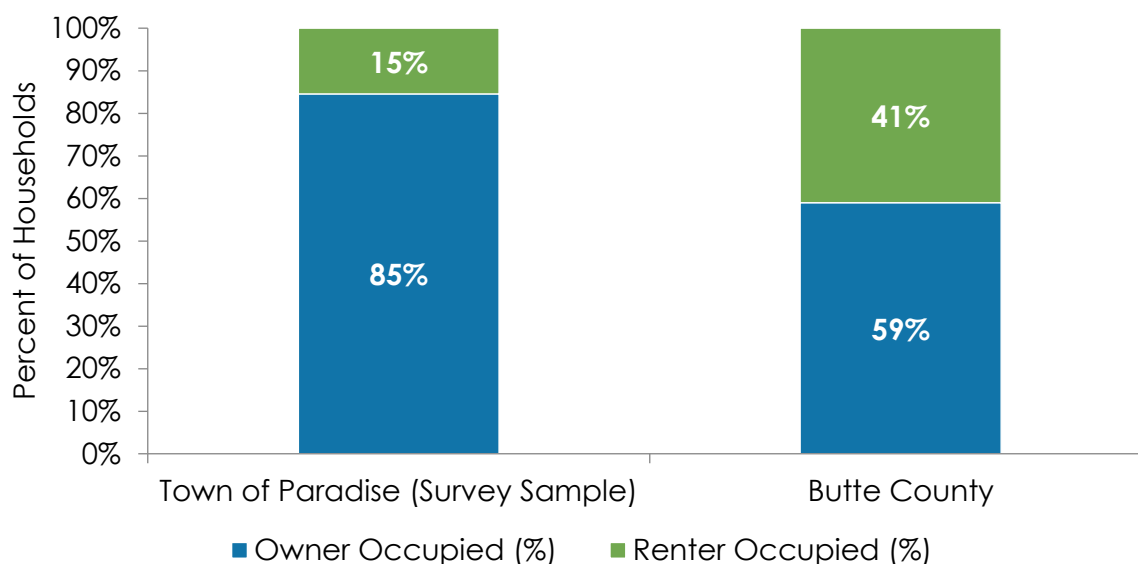
*Notes: -The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. -For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. The racial/ethnic groups reported in this figure are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.*

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.*

## 4.6 TENURE

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase or during regional natural disasters. In Paradise, fewer residents rent than own their homes: approximately 15 percent versus 85 percent (see Figure 14). By comparison, 41 percent of households in Butte County are renters, while 59 percent of households own their homes.



**Figure 14: Housing Tenure**

*Universe: Occupied housing units*

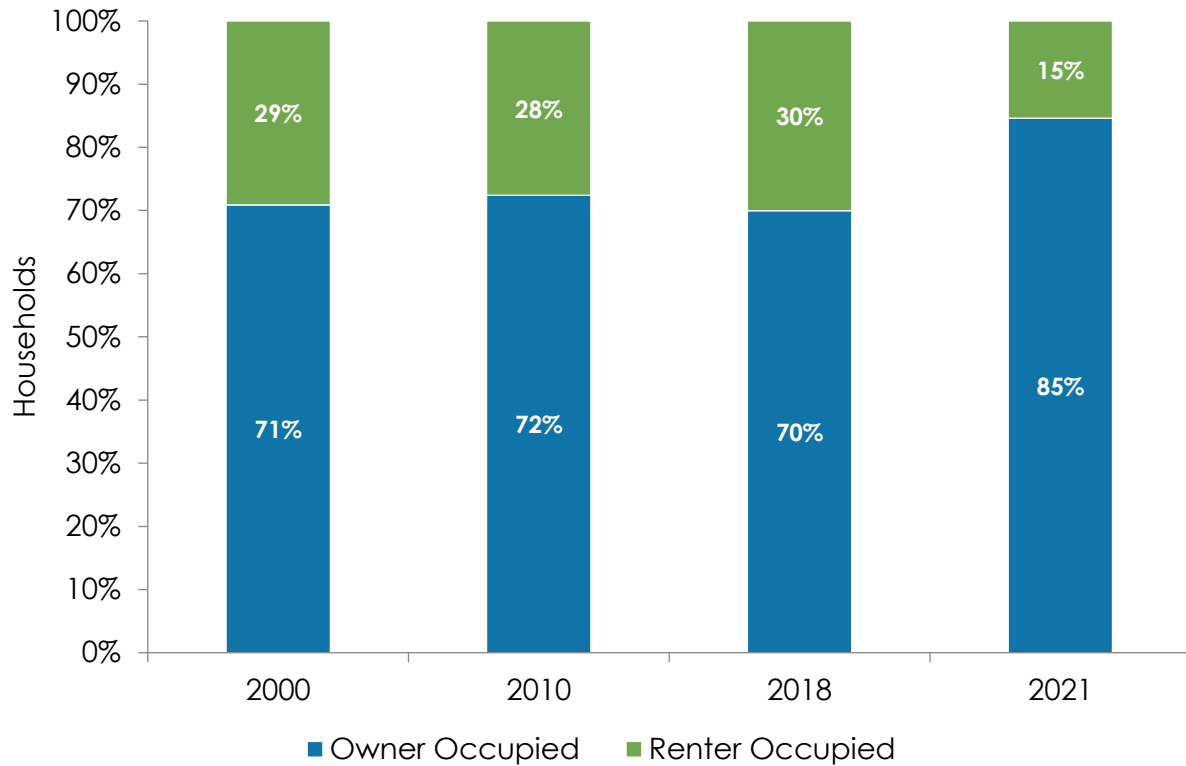
*Source: Town of Paradise Local Census Survey 2021, U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-13.*

The 2018 Camp Fire appears to have displaced more renters than homeowners, although the survey sample could be biased towards homeowners. According to Census data, before the fire, homeowners consistently made up over 70 percent of the population since 2000, a large difference from the post-fire survey sample of which 85 percent of respondents owned their homes (see Figure 15).

Disparities in homeownership rates not only reflect differences in income and wealth but also stem from federal, State, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across California communities.<sup>8</sup> In Paradise, 100 percent of the seven Black households who took the Town of Paradise Local Census Survey of 2021 owned their homes, while 75 percent of Asian households, 76 percent of Hispanic or Latino households, and 86 percent of White households who took the survey did (see

<sup>8</sup> See, for example, Rothstein, R. (2017). *The Color of Law: A Forgotten History of How Our Government Segregated America*. New York, NY & London, UK: Liveright Publishing.

Figure 16). Notably, recent changes to State law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

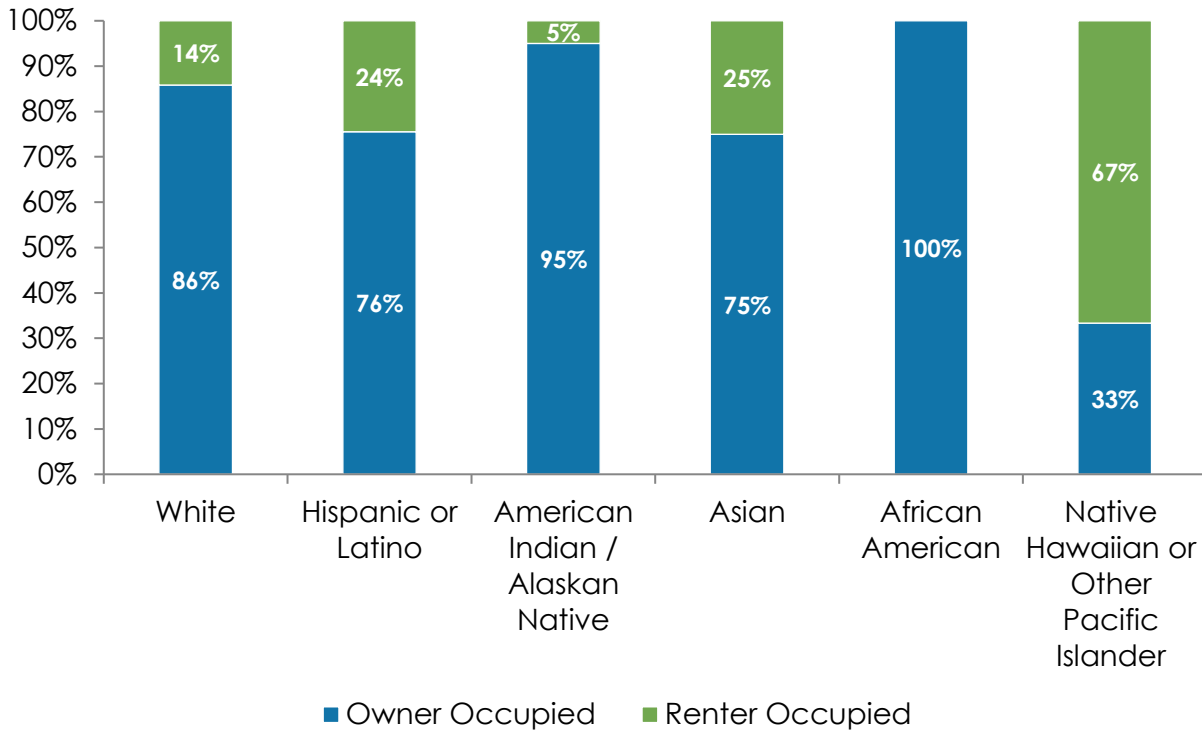


**Figure 15: Housing Tenure 2000-2021**

*Universe: Occupied housing units*

*Source: American Community Survey 5-Year Data (2015-2019), Table B25003 and H004; Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.*



**Figure 16: Housing Tenure by Race of Householder**

*Universe: Occupied housing units*

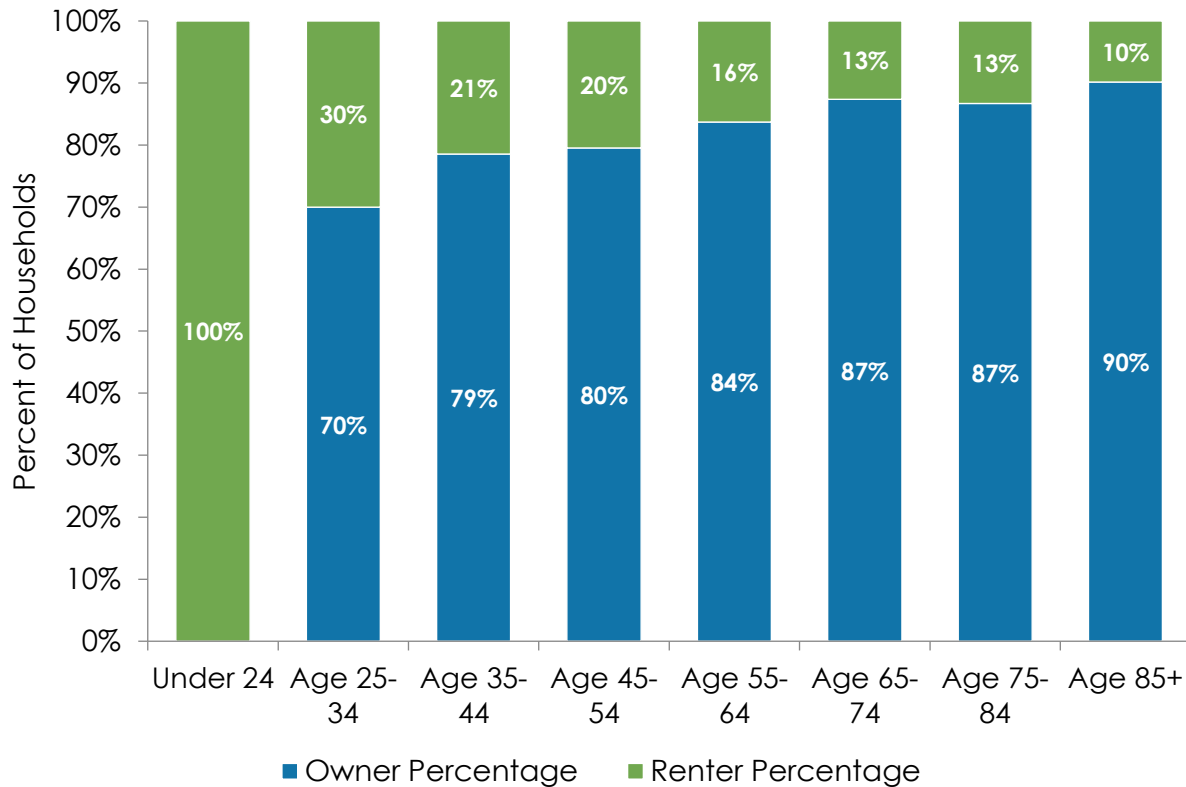
*Notes: For this table, the Town of Paradise Local Census Survey did not disaggregate racial groups by Hispanic/Latinx ethnicity, so the racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction.*

*Source: Town of Paradise Local Census Survey 2021,*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-16.*

The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent and may struggle to buy a first home due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options.

In Paradise, 76 percent of householders between the ages of 25 and 44 are owners, while 88 percent of householders are over 65 (see Figure 17).



**Figure 17: Housing Tenure by Age**

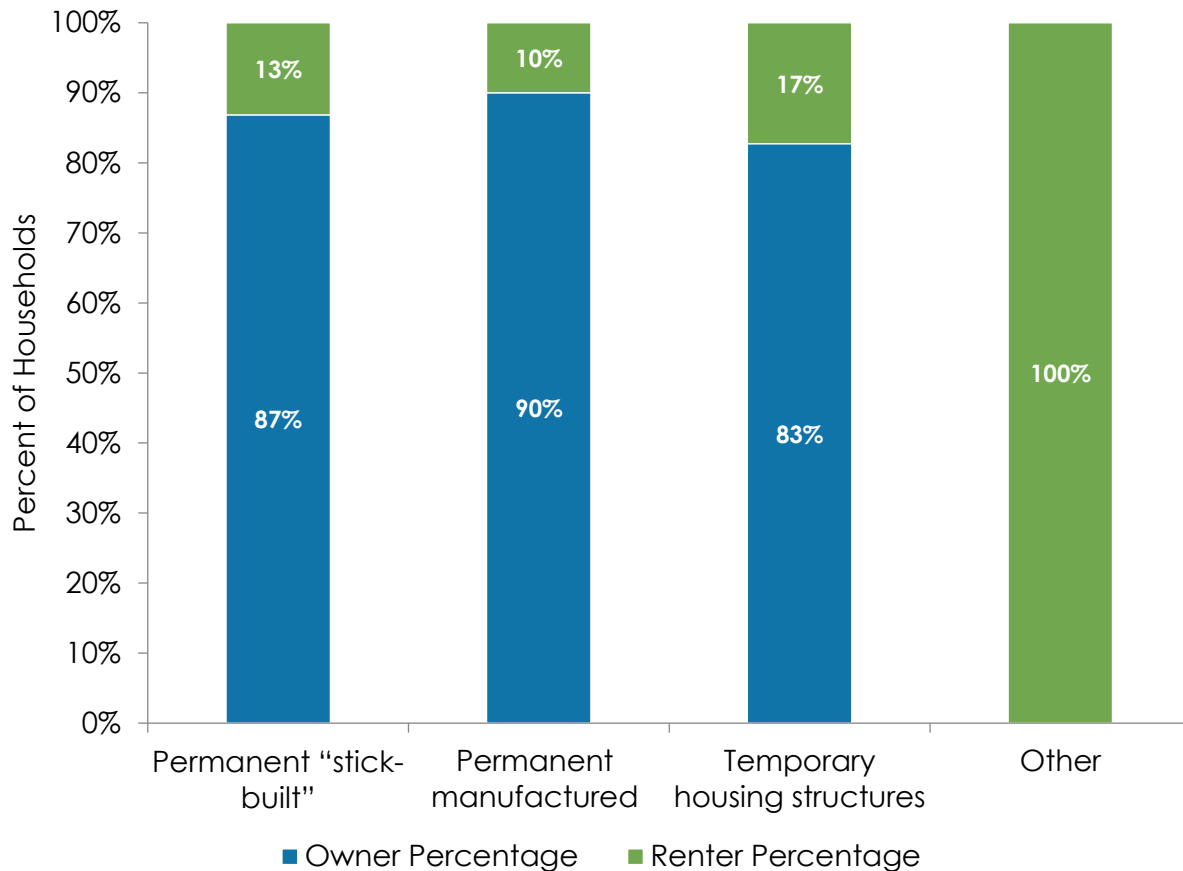
*Universe: Occupied housing units*

*Note: This data is counting the head of household.*

*Source: Town of Paradise Local Census Survey 2021,*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-14.*

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. While we do not have data that was collected after the 2018 Camp Fire, the Town of Paradise Local Census Survey of 2021 did ask residents about permanent “stick-built” (built on-site regardless of materials used) versus permanent manufactured (built entirely at plant and placed on site) and temporary housing structures like recreational vehicles, tiny houses, or other temporary arrangements. In Paradise, 87 percent of households in permanent “stick-built” homes are homeowners, while 90 percent of households in manufactured homes are homeowners, and a slightly lower 83 percent of those living in temporary housing structures are homeowners (see Figure 18). This data is complicated by the fact that many households are waiting for their permanent homes to be rebuilt, so they are living in temporary shelter but do own property in the town.



**Figure 18: Housing Tenure by Housing Type**

Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.

## 4.7 DISPLACEMENT

Whereas much of California faces displacement due to increasing housing prices, the situation in Paradise is unique because displacement took on a new meaning after the 2018 Camp Fire when most residents lost a home, place of work, and/or the same sense of community with such a large population loss. When individuals or families are forced to leave their homes and communities, they also lose their support network. Displacement has the most severe impacts on low- and moderate-income residents who had less savings to fall back on during the crisis.

A report written by Next 10 and UC Berkeley's Center for Community Innovation, *Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface*, included Paradise as a case study and revealed important information on who was most affected by the fire:

- Before the fire, Paradise had a large population of retirees — 35 percent of residents were over 60 years old, and 7 percent were over 80 years old. Nearly 85 percent of those who perished in

the fire were over the age of 60, pointing to the vulnerability of older residents, particularly those with disabilities and those who are more socially isolated.

- The Camp Fire displaced 13,314 households, and of those, 43 percent (5,679 households) had moved to a new census tract by 2019. Of those who moved census tracts, 38 percent (2,148 households) were senior-led households. Low-income households represented 41 percent of households that relocated, compared to 50 percent of households that stayed, indicating that lower-income households were less likely to move.
- While 34 percent of all households affected by the 2018 Camp Fire were renters, 40 percent of households that moved were renters. The average household income of households that moved was \$54,153, higher than \$49,974 for the households that did not move.

The report also revealed that most of those displaced from Paradise lived in their homes for generations and were more likely to live in a single-family home and own their home than else in California. Before the Camp Fire, approximately 70 percent of residents owned their homes, higher than the 55 percent homeownership rate statewide. The median home value of \$218,400 was nearly half the average home value in California, which is \$475,900. The lower incomes of the residents of Paradise (\$49,270), when compared to the average Californian (\$71,228) imply that many lived in Paradise due to the relatively lower housing costs, and with the high levels of destruction, low-income families may choose to permanently move out of the state in search of cheaper housing options elsewhere.

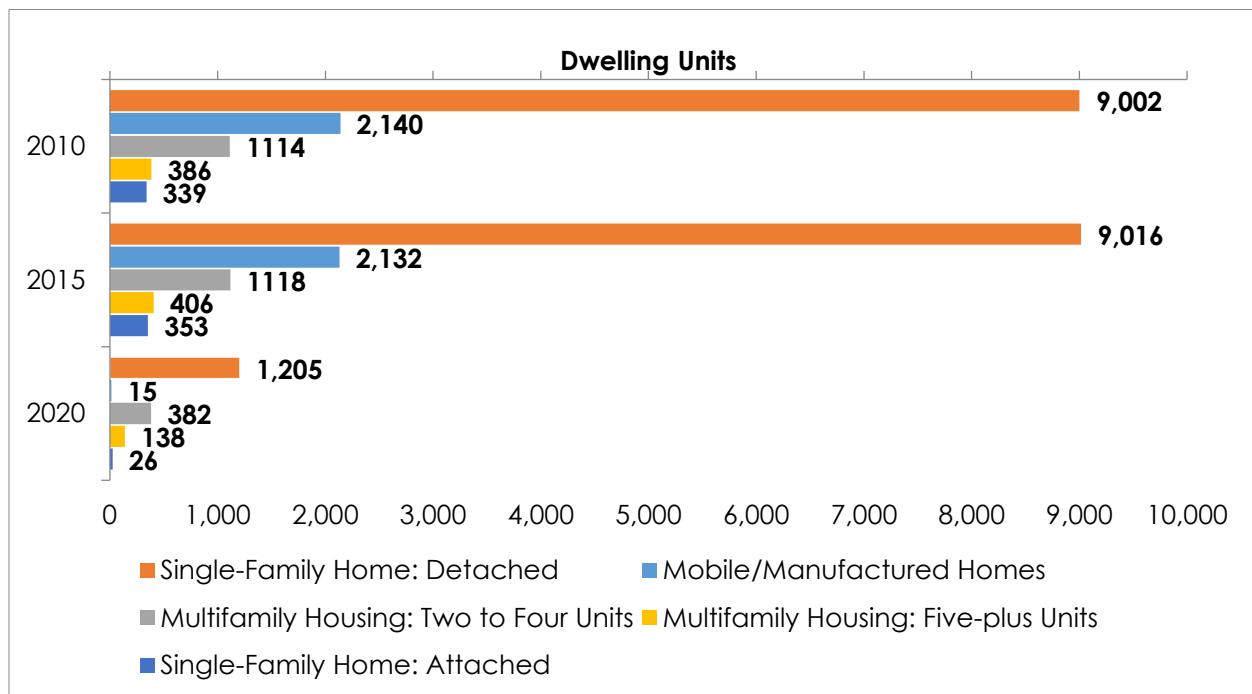
These findings suggest that lower-income residents may not have the resources to relocate as easily as their higher-income peers, especially lower-income homeowners. Renters, seniors, and low-income households are special populations to consider when designing policies and programs to address displacement.

## 5 HOUSING STOCK CHARACTERISTICS

### 5.1 HOUSING TYPES, YEAR BUILT, VACANCY, AND PERMITS

Before the 2018 Camp Fire, the California Department of Finance estimates there were 13,091 dwelling units, but only 1,720 as of January 1, 2019. Of the 375 apartment buildings before the fire, only 94 survived and can still be used, or 105 multi-family units of the previous 853. None of the 347 mobile homes survived according to Urban Footprint data.

In recent years, most housing produced in the region and across the state consisted of single-family detached homes. Paradise's housing stock in 2015 was made up of 69 percent single-family detached homes, 16 percent mobile homes, and 9 percent multifamily homes with 2 to 4 units (see Figure 19). Until the Camp Fire, growth in each category had remained consistent. The Camp Fire led to significant decreases in all housing stock, but multi-family homes with 2 to 4 units saw the least percent change. In 2020, the housing stock consisted of a similar 68 percent single-family detached homes, 22 percent multifamily homes with 2 to 4 units (up 13 percent from pre-Fire), 8 percent multifamily homes with five or more units (up 5 percent from pre-Fire), 2 percent single-family attached homes, and 1 percent mobile homes (which is the sharpest decline in percentage at -16 percent).



**Figure 19: Housing Type Trends**

Universe: Housing units

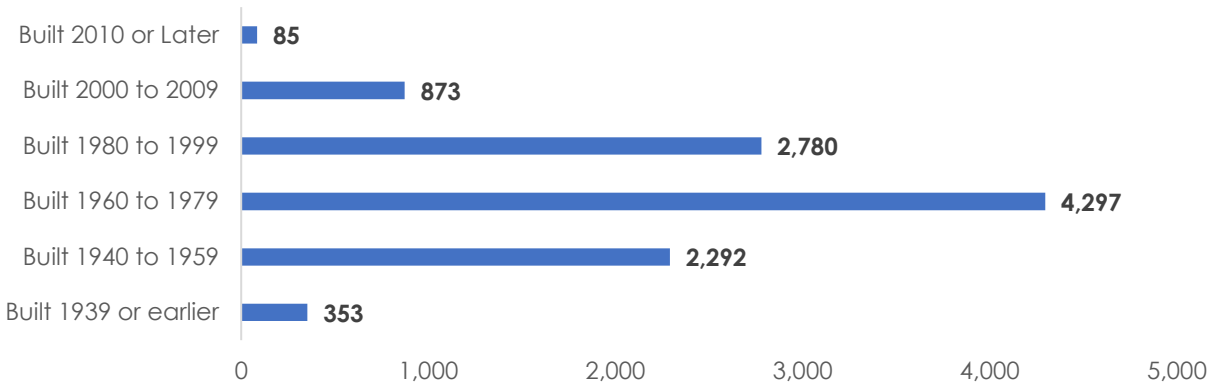
Source: California Department of Finance, E-5 series.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-01.



## APPENDIX A

The most recent Census data do not accurately represent the post-Camp Fire conditions in Paradise, but the estimates and historical data tell us that the largest proportion of the housing stock before the fire was built between 1960 and 1979, with 4,297 units constructed during this period (see Figure 20). Since 2000 but before the fire, 9 percent of the housing stock was built (958 units).<sup>9</sup>



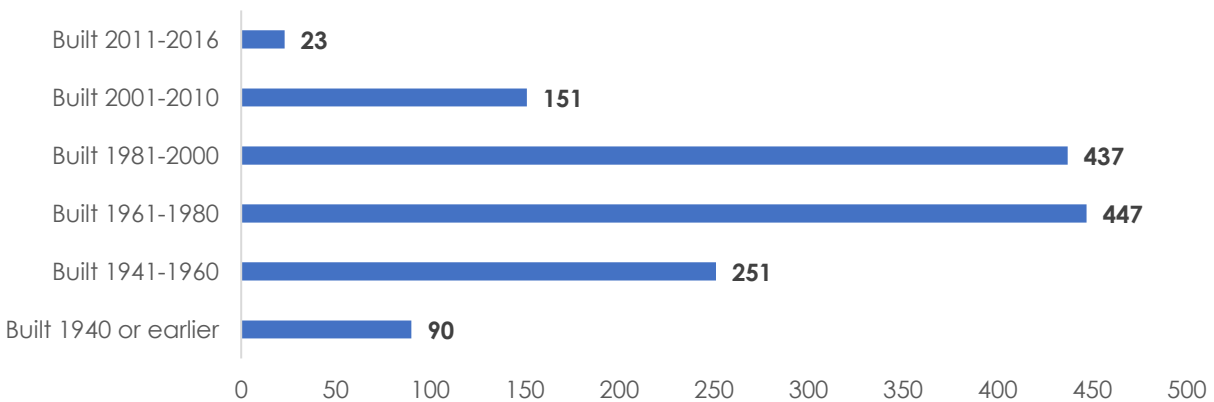
**Figure 20: Housing Units by Year Structure Built, Pre-Fire**

Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-09.

Data from CoreLogic available through Urban Footprint tell us that the largest proportion of the housing stock remaining after the fire was built between 1961 and 2000, with 884 units (or 63 percent) of the remaining 1,399 units being built in this recent period (see Figure 21).



**Figure 21: Housing Units by Year Structure Built, Post-Fire**

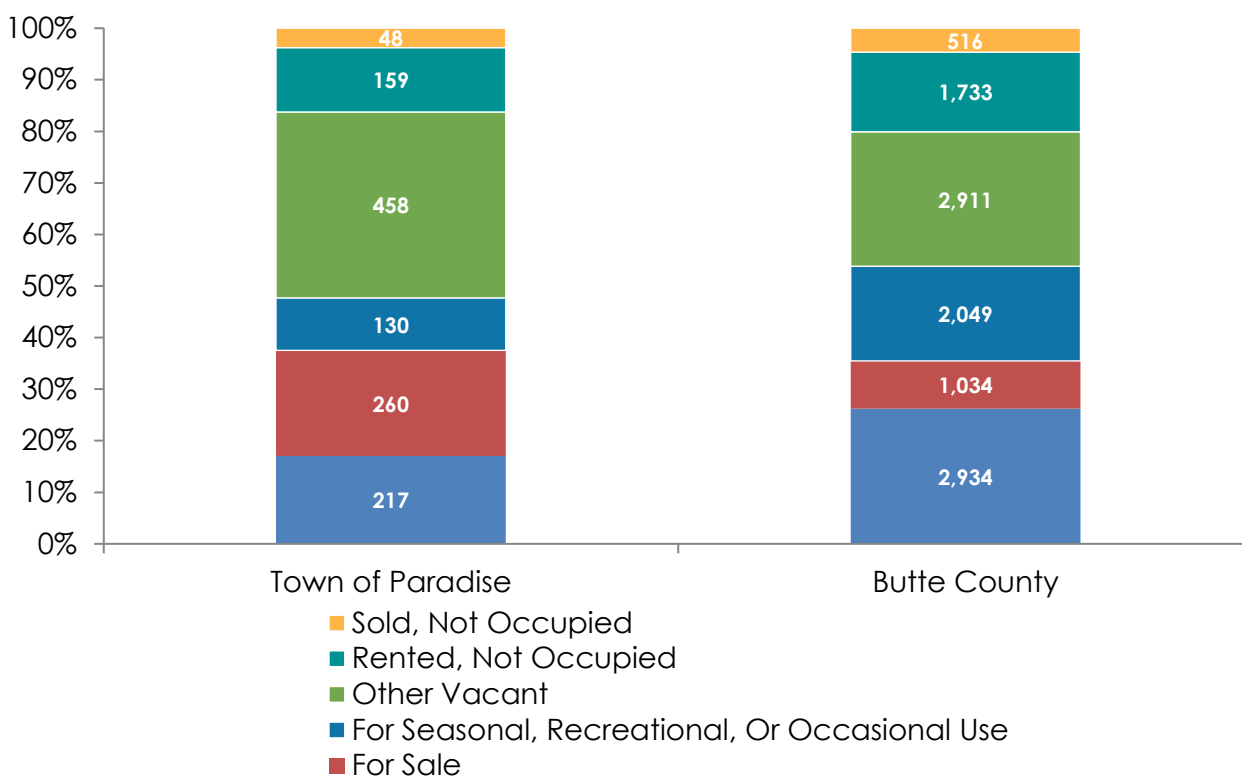
Universe: Housing units

Source: Urban Footprint.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-10.

<sup>9</sup> This data originates from parcel data provided by CoreLogic: most columns come directly from the CoreLogic source data, while others are calculated using CoreLogic attributes. The layer reflects the most recent quarterly parcel data update available as of July 2021.

Before the fire, vacant units made up 12 percent of the overall housing stock in Paradise. Of the vacant units, the most common type of vacancy was *Other Vacant* (see Figure 22). No further data since 2018 has been collected on vacancies in Paradise, so we cannot infer that these numbers are reflective of the current housing needs as 95 percent of buildings were destroyed.



**Figure 22: Vacant Units by Type**

Universe: Vacant housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-02.

Throughout Butte County, before the fire, vacancies made up 12 percent of the total housing units, with homes listed for rent, units used for *recreational or occasional use*, and units not otherwise classified (*other vacant*) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.<sup>10</sup> In a region that has experienced multiple fires

<sup>10</sup> For more information, see pages 3 through 6 of this of definitions prepared by the Census Bureau: <https://www.census.gov/housing/hvs/definitions.pdf>.

that have destroyed a large number of homes, units being renovated/repaired and prepared for occupants moving back in are likely to represent a large portion of the “other vacant” category.

Between 2015 and 2019, 121 housing units were issued permits in Paradise. Over half (59 percent) of permits issued in Paradise were for above low-income housing, 35 percent were for above moderate-income housing, and 7 percent were for moderate-income housing (see Table 4). There were no very low-income permits issued in this time period. However, as of July 2020, building permits were finalized for 1,079 housing units since the Camp Fire and another 854 units had been issued building permits.

**Table 4: Housing Permitting**

| Income Group   | Permits Issued |
|----------------|----------------|
| Above Moderate | 42             |
| Very Low       | 0              |
| Low            | 71             |
| Moderate       | 8              |

*Universe: Housing permits issued between 2015 and 2019*

*Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50 percent of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50 percent and 80 percent of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80 percent and 120 percent of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120 percent of the Area Median Income for the county in which the jurisdiction is located.*

*Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020). This table is included in the Data Packet Workbook as Table HSG-11.*

## 5.2 ASSISTED HOUSING DEVELOPMENTS AT-RISK OF CONVERSION

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

All three projects that were identified as at-risk in the 2014-2022 were destroyed in the Camp Fire. One of the three projects is currently under reconstruction and one is actively working on financing to rebuild. According to the California Housing Partnership’s Preservation Database and Town staff, there are no at-risk projects. See Table 5 for more information.

**Table 5: Assisted Units and Affordability Status**

| Project Name                        | Address              | Pre-Fire Units | Pre-Fire Affordability Exp. Date | Rebuild Status            | Anticipated Future Units | Anticipated Affordability Exp. Date |
|-------------------------------------|----------------------|----------------|----------------------------------|---------------------------|--------------------------|-------------------------------------|
| Paradise Gardens III                | 1040 Buschmann Road  | 48             | 12/21/2015                       | Exploring Funding Options | 48                       | TBD                                 |
| Cypress Acres Convalescent Hospital | 1633 Cypress Lane    | 50             | 3/1/2031                         | N/A                       | 0                        | N/A                                 |
| Paradise Community Village          | 1001 Village Parkway | 36             | 2041                             | Under Reconstruction      | 36                       | 2041                                |

*Universe: Previously at-risk projects from the 2014-2022 Housing Element.*

*Source: California Housing Partnership, Preservation Database (2020) and Town of Paradise staff.*

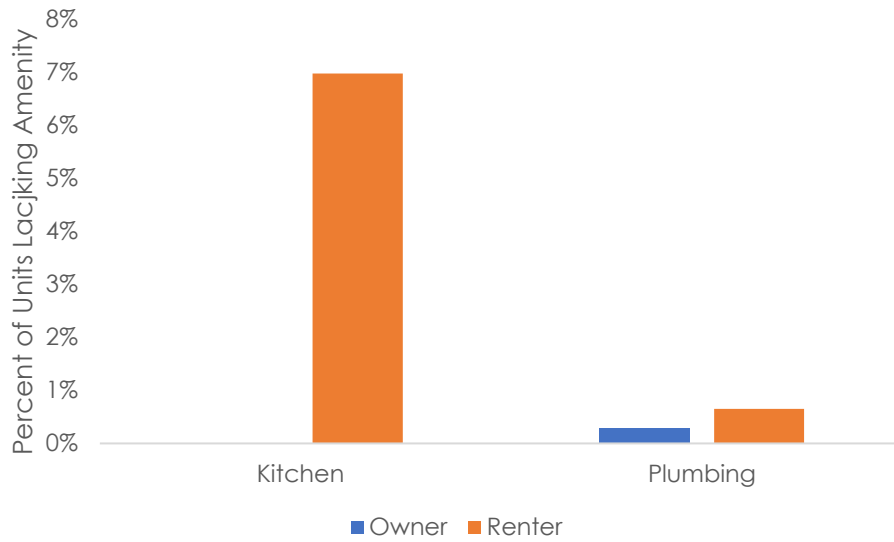
*This table is included in the Data Packet Workbook as Table RISK-01.*

## 5.3 SUBSTANDARD HOUSING

Generally, there is limited data on the extent of substandard housing issues in a community. However, the Census Bureau data included in the graph below (see Figure 23) gives a sense of some of the substandard conditions that may have been present in Paradise prior to the 2018 Camp Fire. For example, 7 percent of renters in Paradise reported lacking a full kitchen and 1 percent of renters lack plumbing, compared to 0 percent of owners who lack a kitchen and 0 percent of owners who lack plumbing. Given the extent of the damage of the 2018 Camp Fire, we can expect that a larger portion of the surviving units may have these issues and others. For example, the Town has determined that many properties have a failing septic system (40-60 percent of all properties) and there are still standing burnt trees on properties that are hazardous to public safety and must be removed. Temporary overhead electrical repairs and reconnections will be replaced by undergrounded electrical from PG&E, as well as potable water lateral replacements due to contamination.

### Note on Substandard Housing

HCD requires Housing Elements to estimate the number of units in need of rehabilitation and replacement. As a data source for housing units in need of rehabilitation and replacement is not available for all jurisdictions after the 2018 Camp Fire, we are not able to provide this required data point in this document. We could anticipate that the surviving housing units have similar rates of deficiencies, but that the new housing does not.



**Figure 23: Substandard Housing Issues**

*Universe: Occupied housing units*

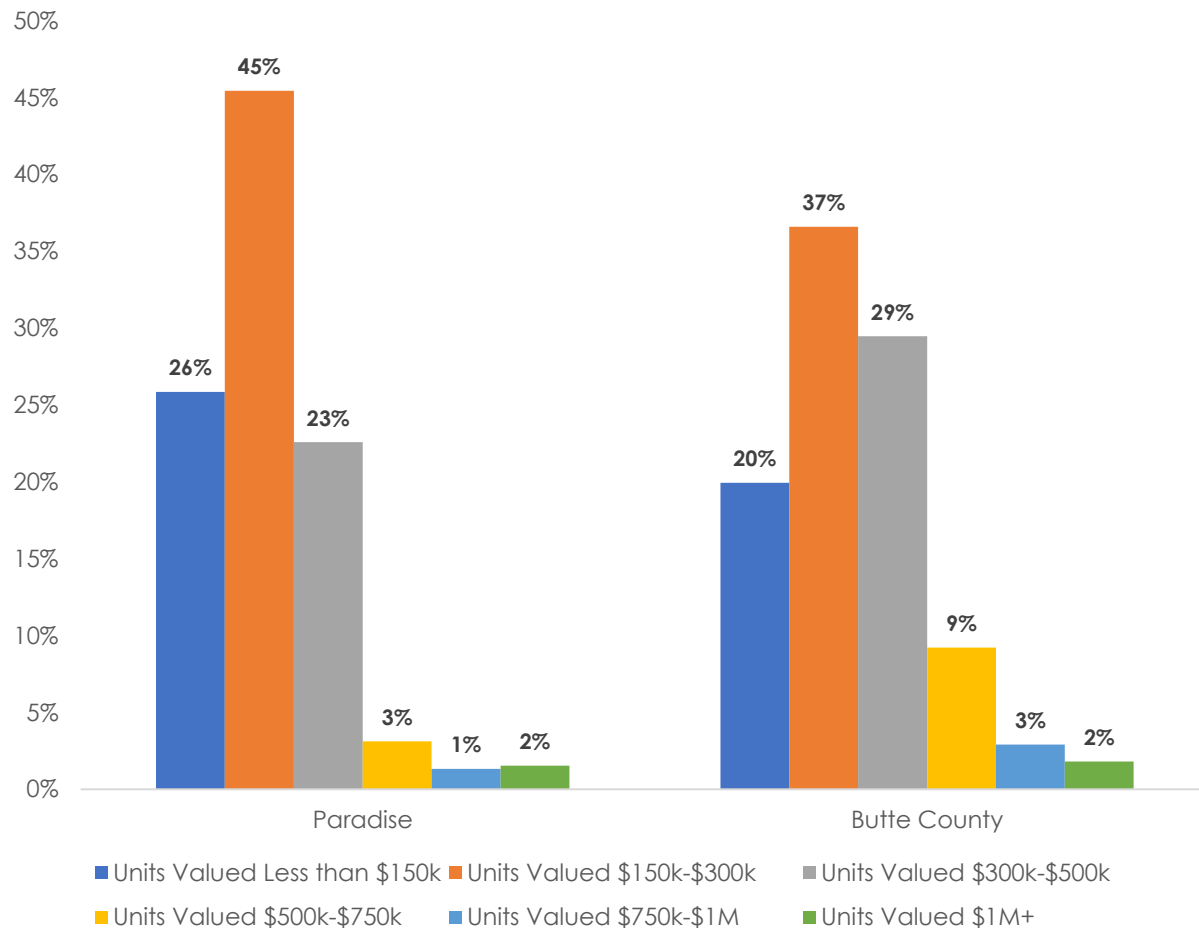
*Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.*

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-o8.*

## 5.4 HOME AND RENT VALUES

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages, and job outlook, coupled with land and construction costs. The typical home value in Paradise was estimated at \$303,128 by December of 2020, per data from Zillow. The largest proportion of homes were valued between \$250,000 and \$500,000 (see Figure 24). By comparison, the typical home value is \$344,422 in Butte County, with the largest share of units valued \$250,000 and \$500,000.



**Figure 24: Home Values of Owner-Occupied Units**

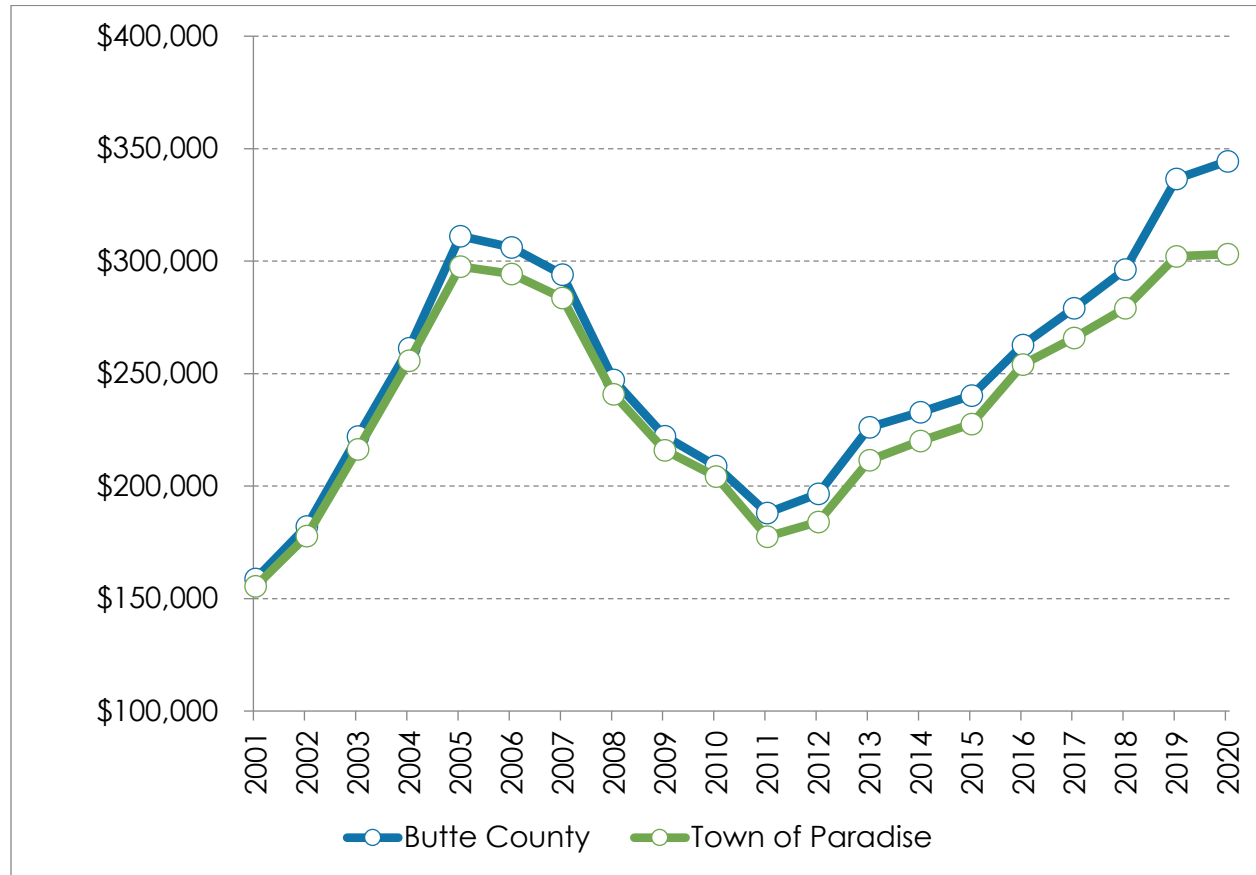
Universe: Owner-occupied units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-03 and HSG-04.

## APPENDIX A

The region's home values have increased steadily since 2000, besides a decrease during the Great Recession. Since 2001, the typical home value has increased 95 percent in Paradise from approximately \$155,433 in December 2001 to \$303,128 as of December 2020. This increase is even more pronounced for Butte County at large, where the typical home value is \$344,422 (see Figure 25).



**Figure 25: Zillow Home Value Index (ZHVI)**

*Universe: Owner-occupied housing units*

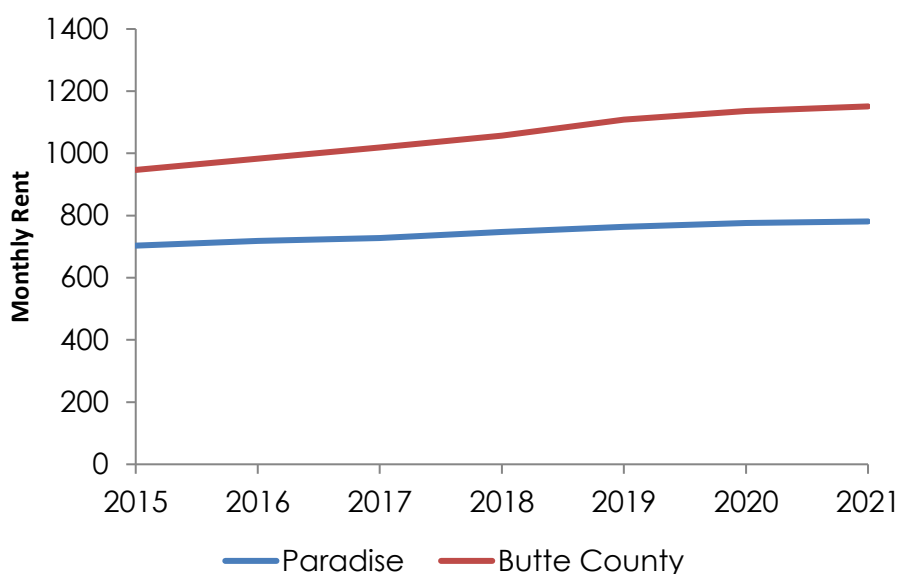
*Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.*

*Source: Zillow, Zillow Home Value Index (ZHVI).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-o8.*

In Paradise, there is an extremely limited dataset of rents. The dataset used by Costar dropped from 14 buildings (176 units) in 2018 to just 3 buildings (66 units) after the fire. These units are all in multi-family buildings, as rent for single-family or other housing types has not been tracked since the 2018 Camp Fire.

However, the median monthly rent of these units has remained somewhere between \$700 and \$800 since 2015 (see Figure 26). Because this dataset is so limited, it may be omitting single-family rental housing or other rental housing and does not necessarily reflect the whole reality. For example, as of July 2021, there are several 2-bedroom units currently advertised online for between \$1,195 and \$1,450 and larger homes listed for over \$2,200.<sup>11</sup> Anecdotally, stakeholders have expressed that there is a lack of affordable housing in the region and that construction costs now preclude the affordable by design projects that were feasible in the past.



**Figure 26: Median Contract Rent for Renter-Occupied Units**

*Universe: Renter-occupied housing units paying cash rent*

*Source: Costar Rental Trends and Development Activity the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-04.*

## 5.5 OVERPAYMENT AND OVERCROWDING

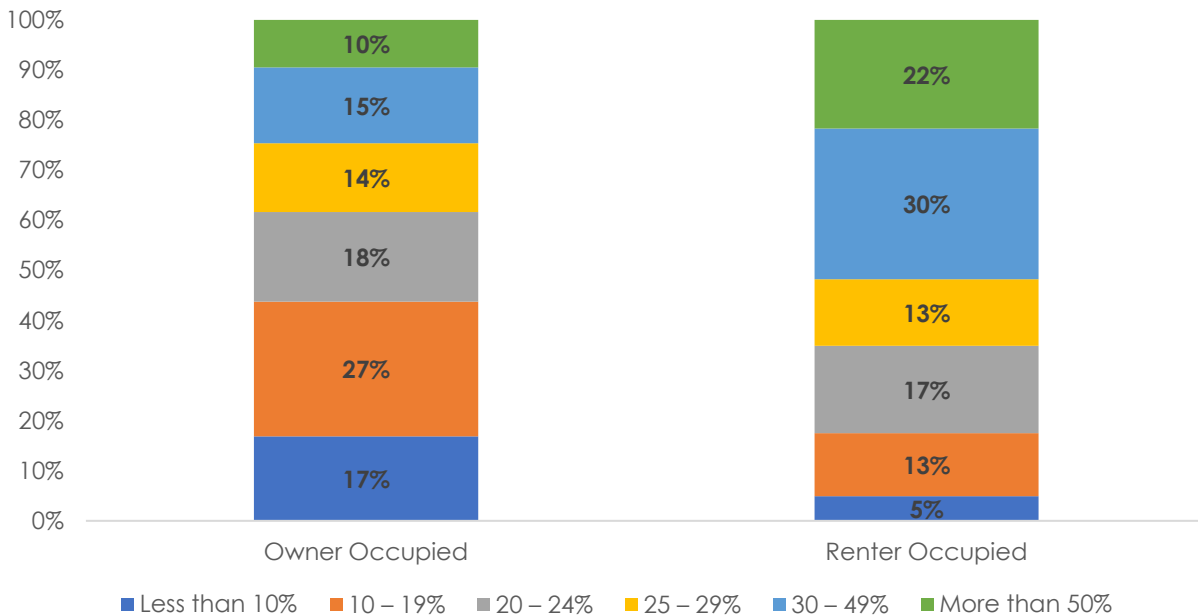
A household is considered “cost-burdened” if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered “severely cost-burdened.” Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

<sup>11</sup> Apartments for rent in Paradise, CA. Retrieved 9 August 2021, from <https://www.apartmentguide.com/apartments/California/Paradise/?boundingBox=-121.725,39.696,-121.556,39.807>



## APPENDIX A

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing over time, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Paradise, 52 percent of renters spend 30 percent to 50 percent of their income on housing compared to 25 percent of those that own (see Figure 27). Additionally, 22 percent of renters spend 50 percent or more of their income on housing, compared to 10 percent of owners who are severely cost-burdened.



**Figure 27: Cost Burden by Tenure**

*Universe: Occupied housing units*

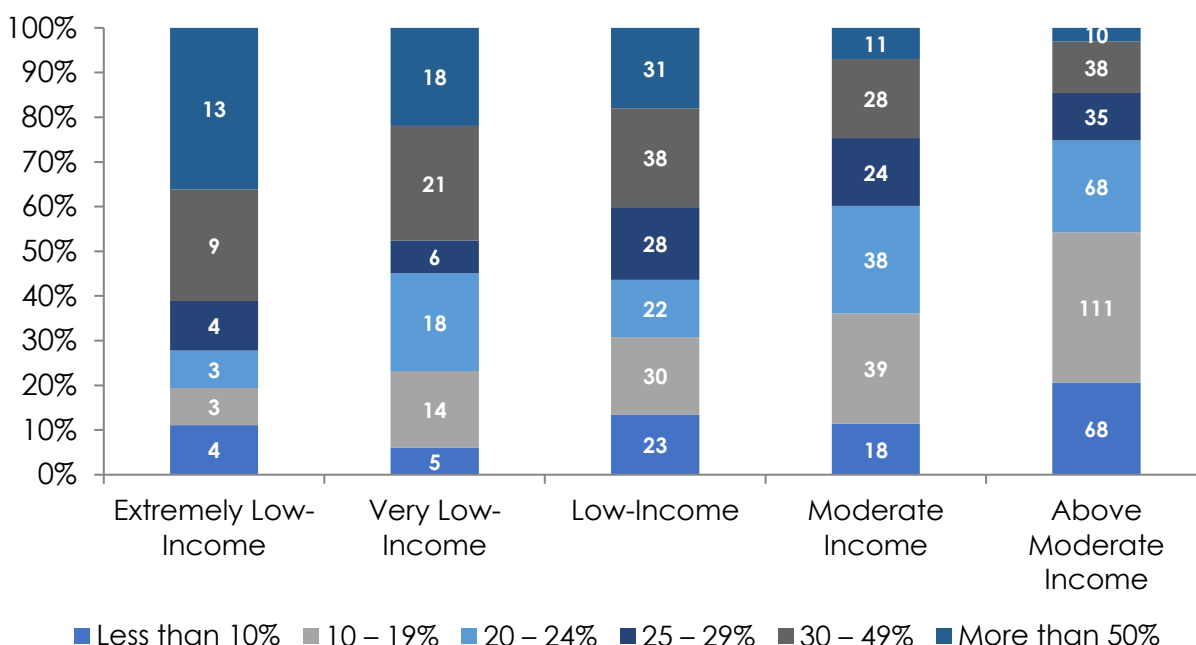
*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-02.*

In Paradise, 11 percent of households spend 50 percent or more of their income on housing, while 17 percent spend 30 percent to 50 percent. However, these rates vary greatly across income categories (see Figure 28). For example, 61 percent of Extremely Low-Income households in Paradise spend are cost burdened and 36 percent spend over half of their income on housing. For Paradise residents with Moderate or Above Moderate incomes, just 4 percent are severely cost-burdened, and 82 percent with Moderate or Above Moderate incomes spend less than 30 percent of their income on housing.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity.



**Figure 28: Cost Burden by Income Level**

Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

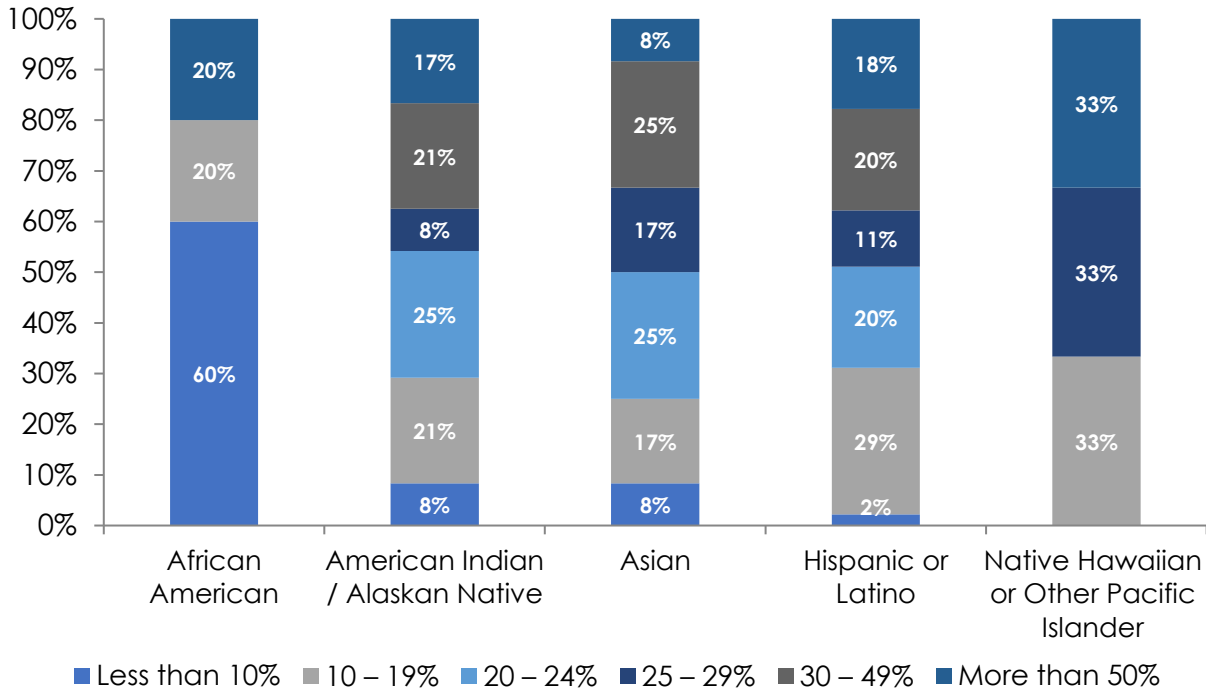
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-01.

Although the Town of Paradise Local Census Survey of 2021 has limited racial data, *Asian* respondents are the most cost burdened with 25 percent spending 30 percent to 50 percent of their income on housing, and *Native Hawaiian or Other Pacific Islander* residents are the most severely cost burdened with 33 percent spending more than 50 percent of their income on housing (see Figure 29).

## APPENDIX A

Large family households often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.



**Figure 29: Cost Burden by Race**

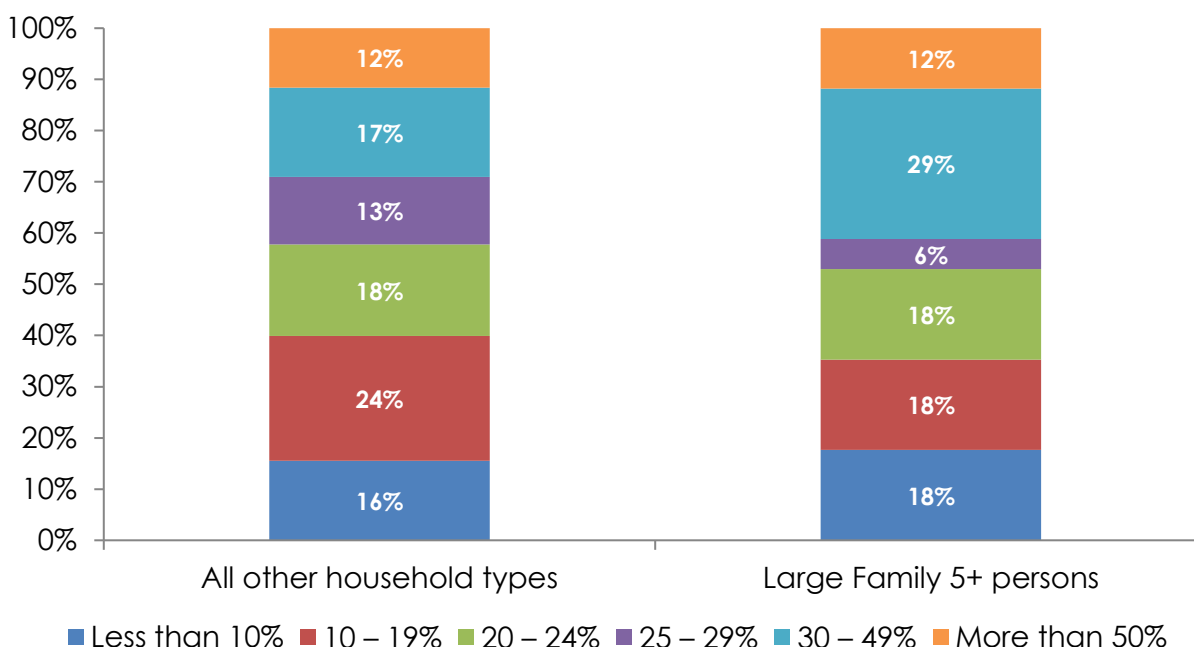
*Universe: Occupied housing units*

*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.*

*Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.*

In Paradise, 29 percent of large family households experience a cost burden of 30 percent-50 percent, while 12 percent of large households spend more than half of their income on housing. Some 17 percent of all other households have a cost burden of 30 percent-50 percent, with 12 percent of households spending more than 50 percent of their income on housing (see Figure 30).



**Figure 30: Cost Burden by Household Size**

*Universe: Occupied housing units*

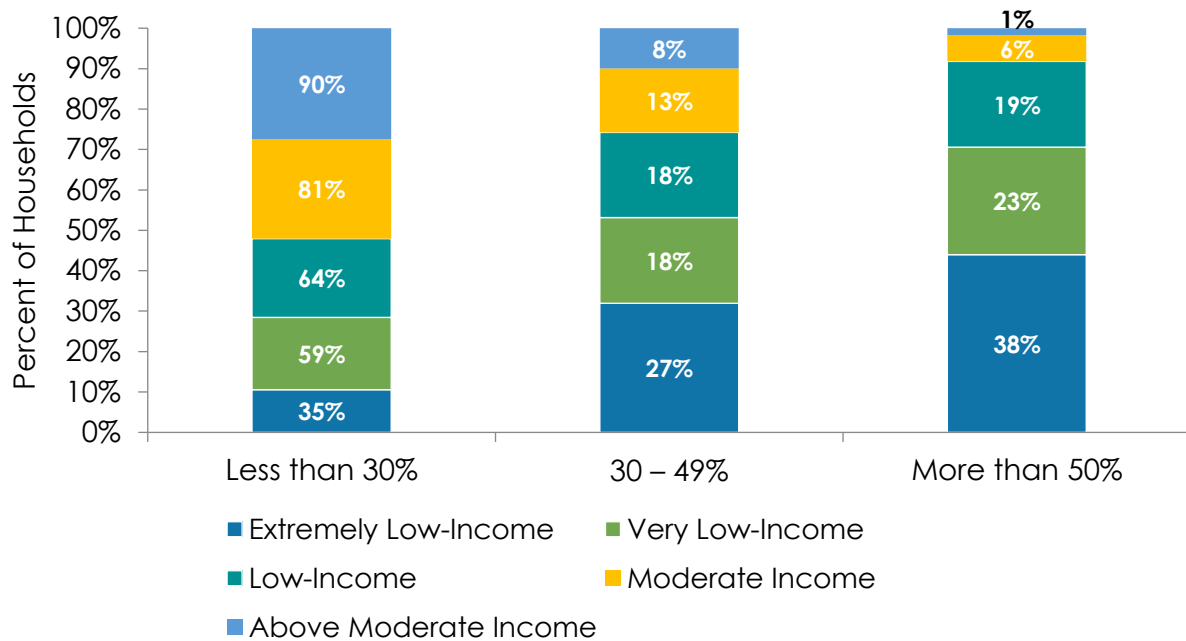
*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.*

When cost-burdened seniors are displaced from their homes, it puts further stress on the local rental market and forces long-time residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors.

Twenty-eight (28) percent of extremely low- and very low-income seniors (i.e., making less than 30% of AMI) are spending the majority of their income on housing. For Moderate or Above Moderate Income seniors, the vast majority (87 percent) are not cost-burdened and spend less than 30 percent of their income on housing (see Figure 31).



**Figure 31: Cost-Burdened Senior Households by Income Level**

*Universe: Senior households*

*Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.*

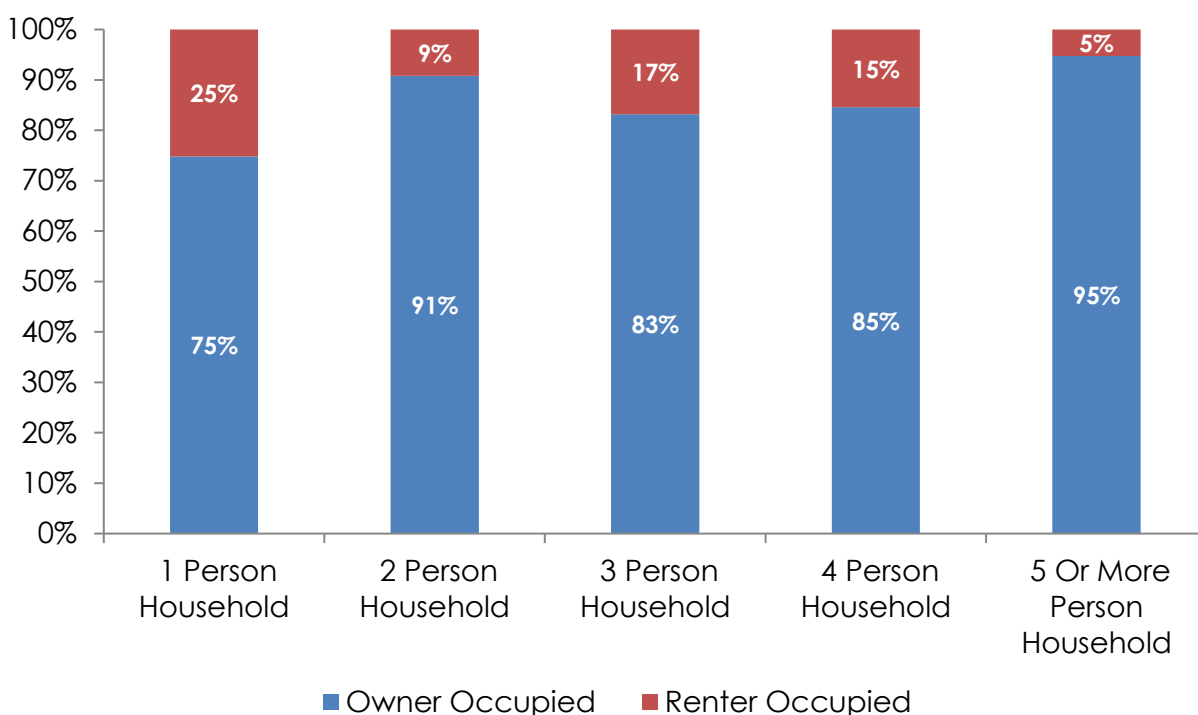
Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded. Unfortunately, no data on overcrowding has been collected since the 2018 Camp Fire.

Census data collected prior to the fire reveals that no renter or owner households were severely overcrowded (more than 1.5 occupants per room). However, in Paradise prior to the 2018 fire, 0.3 percent of renters experienced moderate overcrowding (1 to 1.5 occupants per room), compared to 2 percent for those own.

## 6 SPECIAL HOUSING NEEDS

### 6.1 LARGE HOUSEHOLDS

Large households often have different housing needs than smaller households. If a city or town's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In Paradise, for large households with 5 or more persons, most units (95 percent) are owner occupied (see Figure 32). The Town of Paradise Local Census Survey of 2021 indicates that 17 percent of large households were very low-income, earning less than 50 percent of the area median income (AMI). However, only 19 households with more than five people completed the survey.



**Figure 32: Household Size by Tenure**

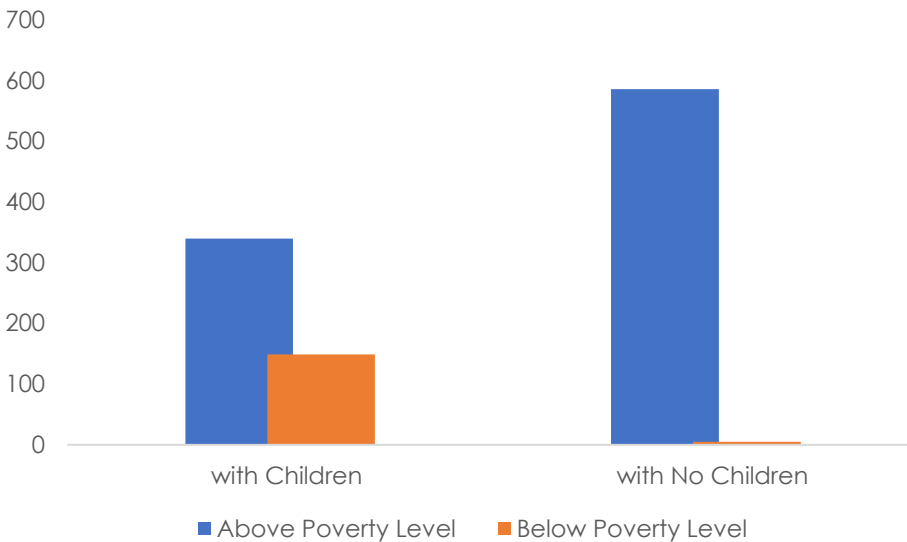
*Universe: Occupied housing units*

*Source: Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-01.*

## APPENDIX A

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging. While there is no data post-2018 Camp Fire, Census data from before the fire shows that, in Paradise, 30 percent of the 489 female-headed households with children fell below the Federal Poverty Line, while 1 percent of the 591 female-headed households *without* children lived in poverty (see Figure 33).



**Figure 33: Female-Headed Households by Poverty Status**

*Universe: Female Households*

*Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.*

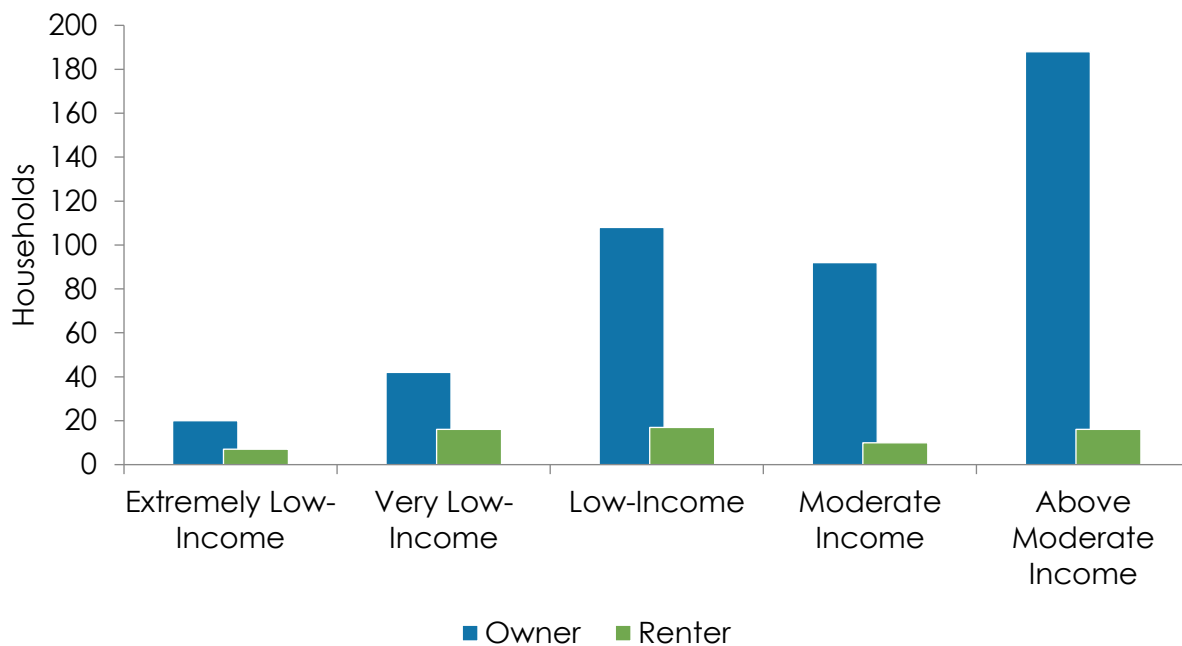
*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-05.*

## 6.3 SENIORS

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility.

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. Of the 516 senior households who took the 2021 Town of Paradise Local Census Survey, the largest proportion of senior households who rent are Low-Income, while the largest proportion of senior households who are homeowners falls in the income group Above Moderate Income (see Figure 34).



**Figure 34: Senior Households by Income and Tenure**

*Universe: Senior households*

*Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Income groups are based on HUD calculations for Area Median Income (AMI). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.*

*Source: Town of Paradise 2021 Local Census Survey.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-01.*

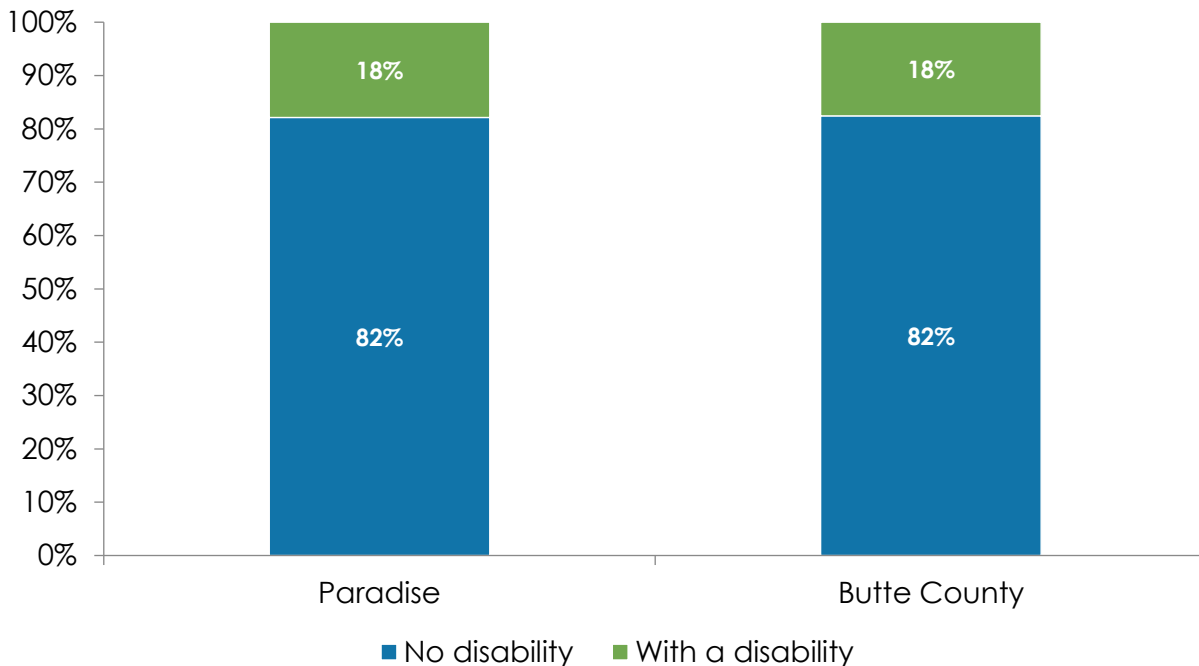
## 6.4 PEOPLE WITH DISABILITIES

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive, and sensory impairments, many people with disabilities live on fixed incomes and need specialized care, yet often rely on family members for assistance due to the high cost of care.

When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence.



Unfortunately, the need typically outweighs what is available. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers. Figure 35 shows that overall, 18 percent of people in the Town of Paradise have a disability of any kind (compared with 7 percent statewide).



**Figure 35: Population by Disability Status**

*Universe: Civilian noninstitutionalized population 18 years and over*

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18101; Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table DISAB-01.*

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them. In Paradise, there are at least 93 persons with disabilities, 33 of which are under 18 and between 60 and 71 of which are adults over the age of 18 (see Table 6).<sup>12</sup>

<sup>12</sup> This is the only data available that was captured after the 2018 Camp Fire and the beginning of the rebuilding process. Census Data and California Department of Developmental Services data by zip code does not accurately depict the most current situation in Paradise.

**Table 6: Population with Developmental Disabilities by Age**

| Age Group    | Value         |
|--------------|---------------|
| Age 18+      | Between 60-71 |
| Age Under 18 | 33            |
| <b>Total</b> | <b>&gt;93</b> |

*Universe: Population with developmental disabilities*

*Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.*

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (June 2021).*

*This table is included in the Data Packet Workbook as Table DISAB-02.*

Unfortunately, there is no data that accurately describes disability by type after the 2018 Camp Fire. However, American Community Survey (ACS) data show that of the 4,914 total persons with disabilities from *before the 2018 Camp Fire*, 28.1 percent had a hearing difficulty, 14.2 percent had vision difficulty, 47.3 percent had a cognitive difficulty, 46.8 percent had an ambulatory difficulty, 24.1 percent had a self-care difficulty, and 40.6 percent had independent living difficulties. 2,311, or 47 percent, of this total population was over the age of 64. Data on developmental disabilities by residence is up-to-date and shows that the most common living arrangement for individuals with developmental disabilities in Paradise is the home of parent /family/guardian (see Table 7).

**Table 7: Population with Developmental Disabilities by Residence**

| Residence Type                    | Value         |
|-----------------------------------|---------------|
| Home of Parent /Family / Guardian | 61            |
| Community Care Facility           | 0             |
| Foster / Family Home              | <11           |
| Intermediate Care Facility        | 17            |
| Independent / Supported Living    | 14-25         |
| Other                             | 0             |
| <b>Total</b>                      | <b>&gt;92</b> |

*Universe: Population with developmental disabilities*

*Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.*

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (June 2021).*

*This table is included in the Data Packet Workbook as Table DISAB-03.*

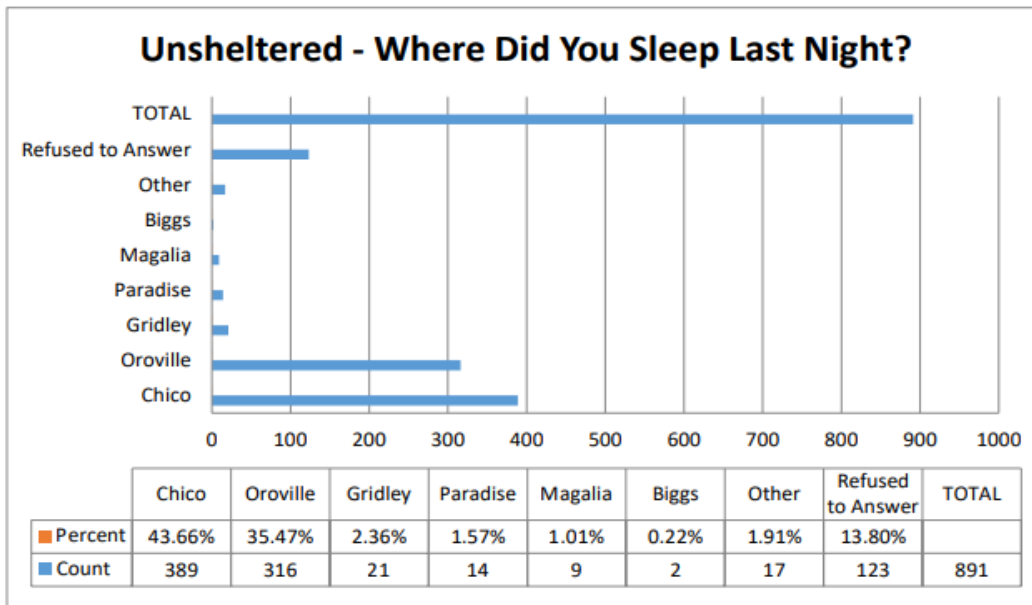
## 6.5 HOMELESSNESS

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the state, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances.

The Homeless Point in Time Survey is federally mandated by the U.S. Department of Housing and Urban Development (HUD) to survey the sheltered and unsheltered homeless population in cities and counties throughout the nation. HUD defines sheltered homeless persons as adults, children, and youth, and unaccompanied children who, on the night of the survey, are living in shelters or transitional housing for the homeless. HUD defines unsheltered homeless as those who reside in places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, or on the street. The PIT Survey is conducted on one night and provides a snapshot of a county's visible homeless population. Historically, the PIT Survey has undercounted the total homeless population because it is not possible to contact all persons who live in alternative housing arrangements. Furthermore, it has long been known that a number of people experiencing unstable housing may live in a variety of shared housing arrangements or couch surf, and people in this situation are not counted in the PIT survey. The PIT Survey is simply a summary of those persons with whom contact was made on a designated day; it is not intended to represent a complete count of the homeless population who live in Butte County. The data presented each year through the official Annual Housing Assessment Report (AHAR) are labeled as an "estimate" of the homeless population.

The 2019 PIT Count in Butte County identified a total of 2,304 sheltered, unsheltered and FEMA housed homeless adults and children county wide (891 unsheltered, 420 sheltered, and 993 people sheltered with FEMA support), which is 16 percent higher than the count in 2017 (1,983). The significant increase in the 2019 PIT Count can be attributed to: Camp Fire related homeless in FEMA provided housing (temporary), increased survey efficiency through use of a mobile web-based technology instead of paper surveys, implementation of revised survey questions to follow HUD guidelines (e.g., chronic homeless, domestic violence), planned targeting of encampment sites, and broad participation from the community.

The 2019 PIT Survey identified 1,551 homeless households countywide. Two hundred and one (201) households resided in Emergency Shelter, 65 in Transitional Housing, 397 in FEMA housing, and 888 were unsheltered. Despite these efforts to improve the accuracy of the survey, the actual number of homeless individuals is estimated to be higher than PIT Survey results due to ongoing challenges in locating homeless individuals, especially those who are displaced and unhoused due to the Camp Fire. Of the 891 unsheltered individuals, 2 percent had slept in the Town of Paradise the night prior to the count (see Figure 36).



**Figure 36: Unsheltered Point-in-Time (PIT) Count in Butte County**

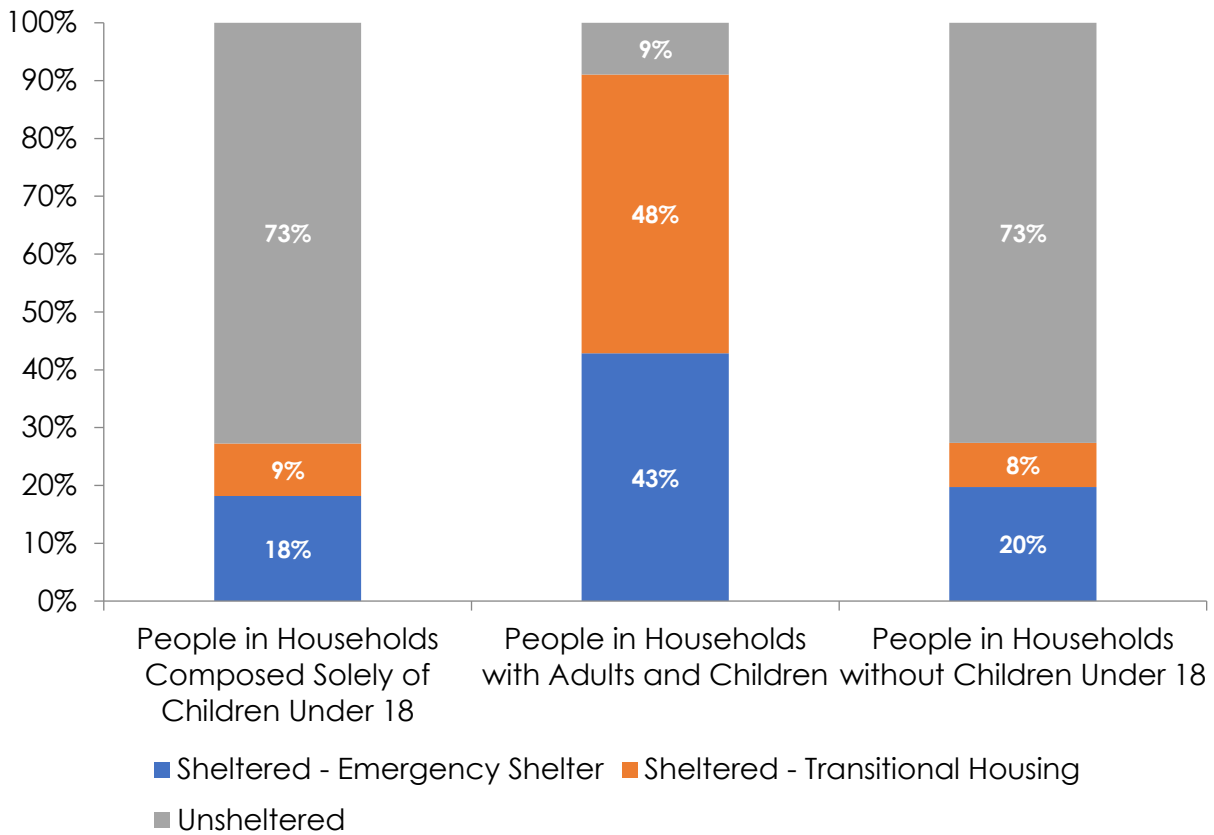
*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January.*

*Source: Butte Countywide Homeless Continuum of Care.*

In Butte County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 73 percent are unsheltered. Of homeless households with children, most are sheltered in transitional housing or emergency shelter (see Figure 37).

## APPENDIX A



**Figure 37: Homelessness by Household Type and Shelter Status, Chico, Paradise/Butte County**

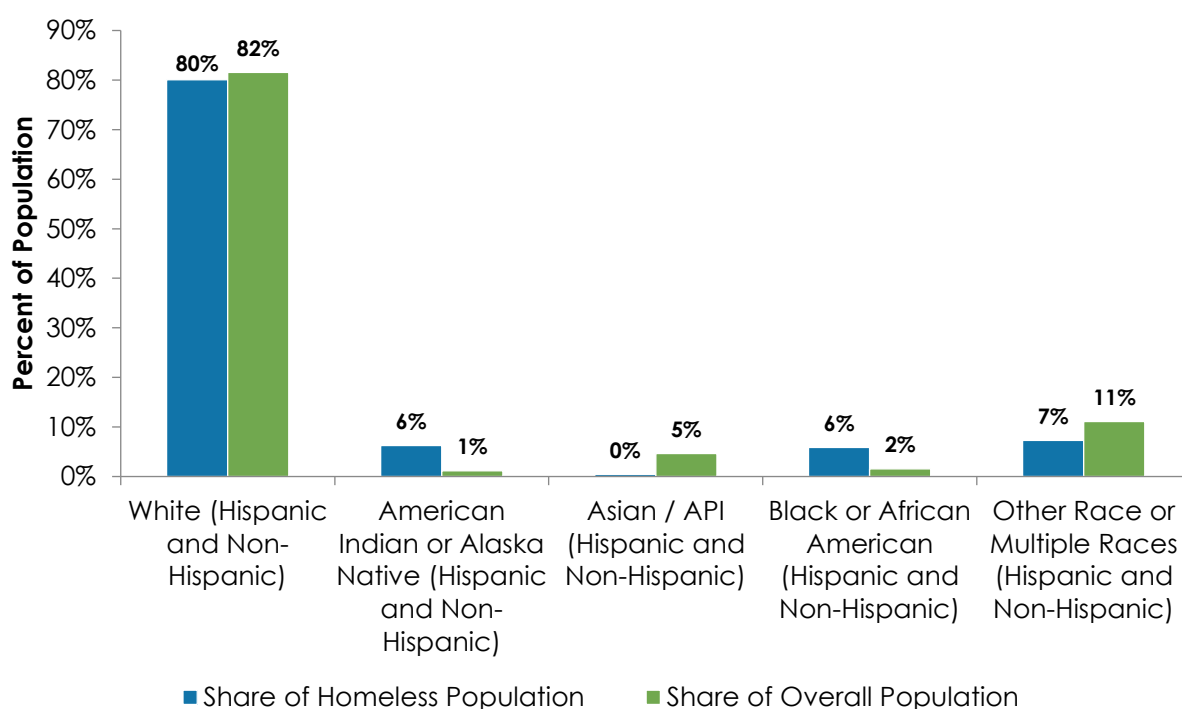
*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMEELS-01.*

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness. In Butte County, American Indian or Alaska Native (Hispanic and Non-Hispanic) make up 6 percent of the homeless population, while making up only 1 percent of the overall population. Similarly, Black or African American (Hispanic or Non-Hispanic) residents make up 6 percent of the homeless population, while making up only 2 percent of the overall population (see Figure 38).



**Figure 38: Racial Group Share of General and Homeless Populations, Butte County**

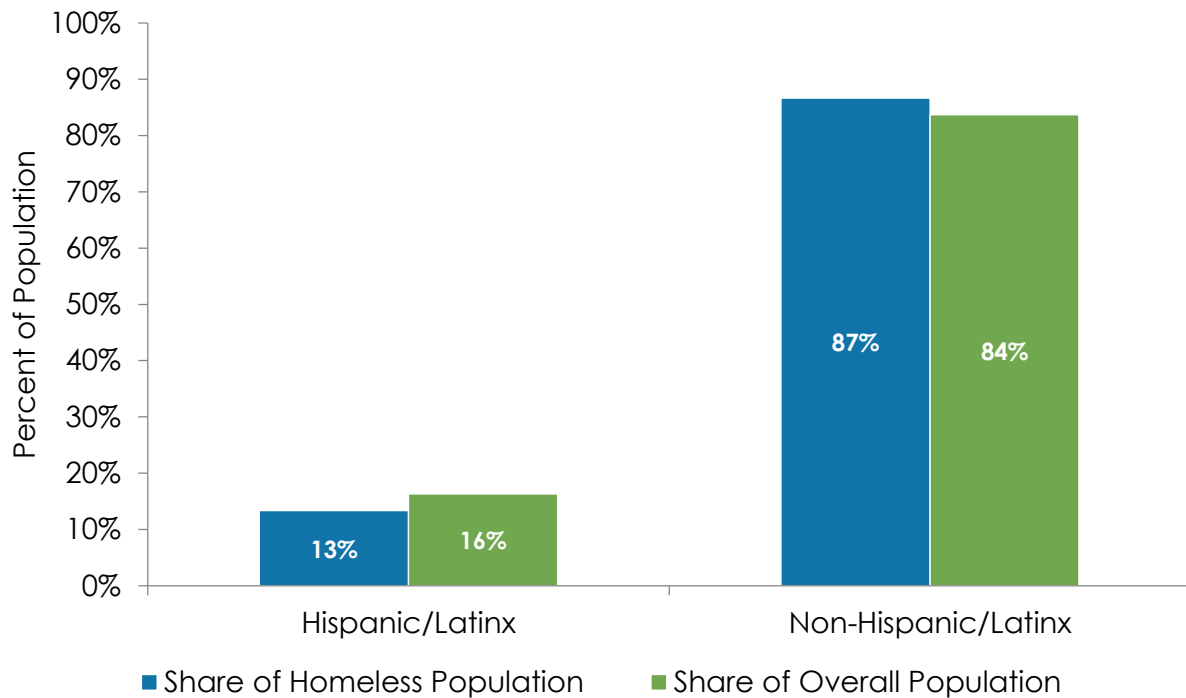
*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.*

In Butte County, Latinx residents represent 13 percent of the population experiencing homelessness, while Latinx residents comprise 16 percent of the general population (see Figure 39).



**Figure 39: Latinx Share of General and Homeless Populations, Butte County**

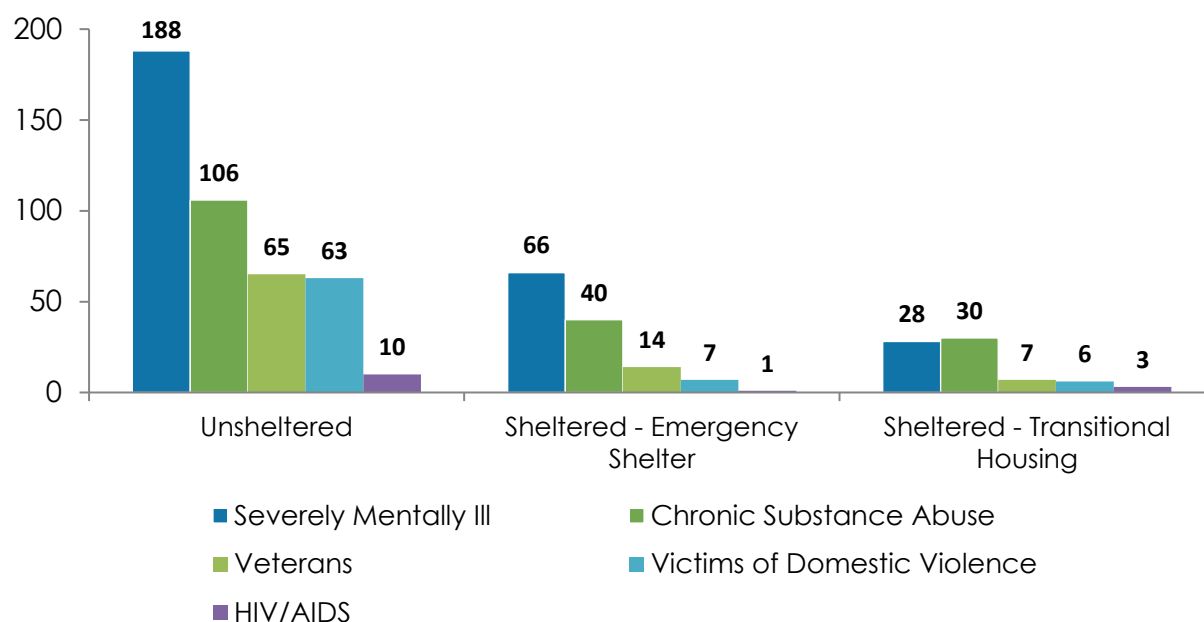
*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.*

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Butte County, homeless individuals are commonly challenged by severe mental illness, with 282 reporting this condition (see Figure 40). Of those, some 67 percent are unsheltered, further adding to the challenge of handling the issue.



**Figure 40: Characteristics for the Population Experiencing Homelessness, Butte County**

*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMEELS-04.*

In Paradise, there were 353 reported students experiencing homelessness in the 2019-20 school year, a 110 percent increase from 2017-18 before the fire (see Table 8). By comparison, Butte County has seen a 50 percent increase in the population of students experiencing homelessness in the same time frame, adding undue burdens on learning and thriving, with the potential for longer term negative effects. As defined by the Department of Education, students are experiencing homelessness if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship.



**Table 8: Students in Local Public Schools Experiencing Homelessness**

| Academic Year | The Town of Paradise | Butte County |
|---------------|----------------------|--------------|
| 2016-17       | 142                  | 799          |
| 2017-18       | 168                  | 882          |
| 2018-19       | 10                   | 738          |
| 2019-20       | 353                  | 1,314        |

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020).

This table is included in the Data Packet Workbook as Table HOMELS-05.

## 6.6 FARMWORKERS

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

In Paradise, there were no reported students of migrant workers in the 2019-20 school year. The trend for the County for the past few years has been between 85-155 migrant worker students (see Table 9).

**Table 9: Migrant Worker Student Population**

| Academic Year | The Town of Paradise | Butte County |
|---------------|----------------------|--------------|
| 2016-17       | 0                    | 85           |
| 2017-18       | 0                    | 155          |
| 2018-19       | 0                    | 93           |
| 2019-20       | 0                    | 123          |

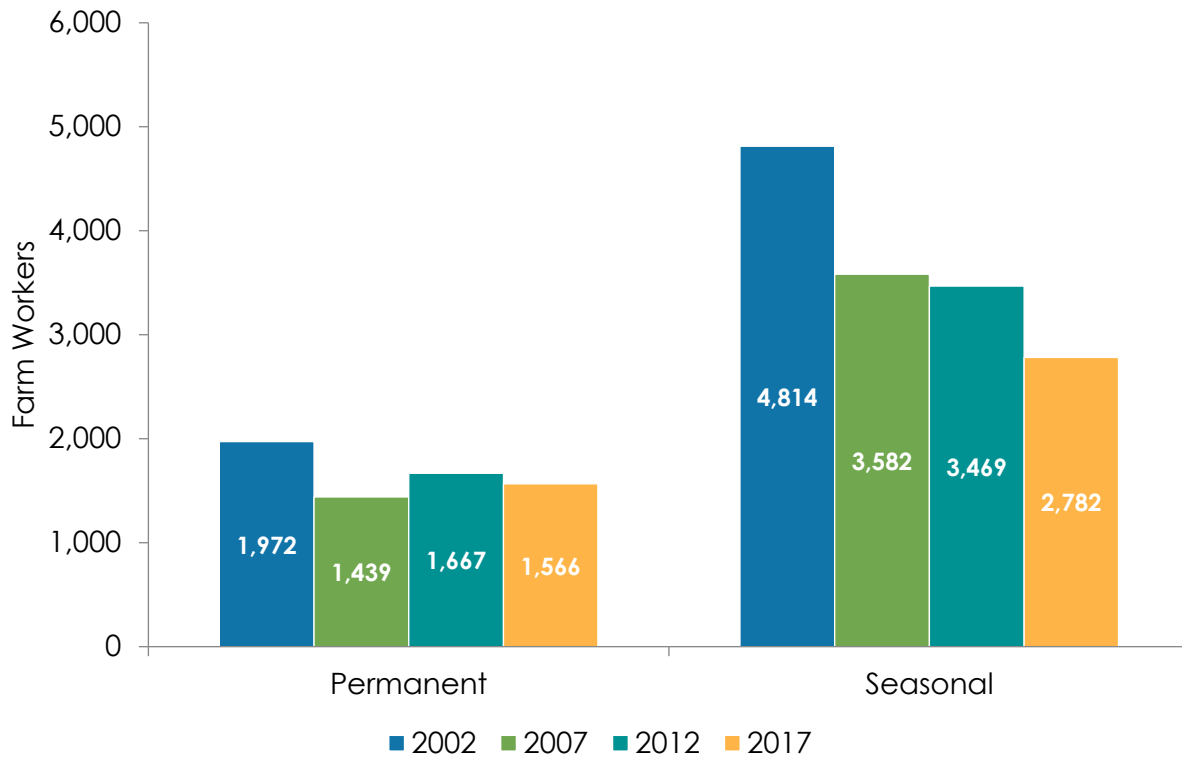
Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded, and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020).

This table is included in the Data Packet Workbook as Table FARM-01.

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Butte County has decreased since 2002, totaling 1,566 in 2017, while the number of seasonal farm workers has also decreased, totaling 2,782 in 2017 (see Figure 41). These data, however, were collected before the 2018 Camp Fire and may no longer be accurate.



**Figure 41: Farm Operations and Farm Labor by County, Butte County**

*Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)*

*Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.*

*Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table FARM-02.*

## 6.7 NON-ENGLISH SPEAKERS

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the state. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights or might be wary to engage due to immigration status concerns. In Paradise, 1 percent of residents 5 years and older identified before the 2018 Camp Fire as speaking English not well or not at all, which is below the proportion for Butte County, where 3 percent of residents 5 years and older reported limited English proficiency. The Town of Paradise 2021 Local Census Survey shows that the majority of people who took the survey (99 percent) speak English as their primary language.

## APPENDIX A

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## APPENDIX B: AFFIRMATIVELY FURTHERING FAIR HOUSING REPORT



## TABLE OF CONTENTS

|   |    |
|---|----|
| ASSESSMENT OF FAIR HOUSING .....  | 1  |
| A. Fair Housing Enforcement and Outreach Capacity.....                  | 1  |
| Local and Regional Patterns and Trends .....                            | 2  |
| Local Data and Knowledge .....  | 5  |
| Conclusions and Summary of Issues .....                                 | 7  |
| B. Segregation and Integration .....                                    | 7  |
| Local and Regional Patterns and Trends .....                            | 7  |
| Local Data and Knowledge .....  | 20 |
| Other Relevant Factors.....   | 21 |
| Conclusions and Summary of Issues .....                                 | 21 |
| C. Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) ..... | 21 |
| Local and Regional Patterns and Trends .....                            | 22 |
| Conclusions and Summary of Issues .....                                 | 27 |
| D. Disparities in Access to Opportunity .....                           | 27 |
| Local and Regional Patterns and Trends .....                            | 27 |
| Local Data and Knowledge .....  | 30 |
| Other Relevant Factors.....   | 31 |
| Conclusions and Summary of Issues .....                                 | 32 |
| E. Disproportionate Housing Needs and Displacement Risk.....            | 32 |
| Local and Regional Patterns and Trends .....                            | 32 |
| Local Data and Knowledge .....  | 43 |
| Other Relevant Factors.....   | 46 |
| Conclusions and Summary of Issues .....                                 | 48 |
| F. Fair Housing Action Plan.....  | 48 |

## LIST OF FIGURES

|  |    |
|--|----|
| Figure 1: Regional Public Housing Buildings Map, 2021 .....                                      | 2  |
| Figure 2: Town of Paradise, Housing Choice Vouchers by Census Tract Map, 2021 .....              | 3  |
| Figure 3: Butte County, Housing Choice Vouchers by Census Tract Map, 2021 .....                  | 4  |
| Figure 4: Section 8 Households and MHI Per Census Tract, March 2022 .....                        | 6  |
| Figure 5: Butte County, Non-White Demographics Map, 2018 .....                                   | 10 |
| Figure 6: Butte County, Non-White Demographics Map, 2010 .....                                   | 11 |
| Figure 7: Town of Paradise, Non-White Demographics Map, 2018 .....                               | 12 |
| Figure 8: Town of Paradise, Non-White Demographics Map, 2010 .....                               | 13 |
| Figure 9: Butte County, Percent of Children in Single Parent Female Households Map, 2019 .....   | 15 |
| Figure 10: Butte County, Percent of Children in Married Couple Households Map, 2019 .....        | 16 |
| Figure 11: Town of Paradise, Percent of Population with a Disability, 2019 .....                 | 17 |
| Figure 12: Butte County, Percent of Population with a Disability, 2019 .....                     | 18 |
| Figure 13: Household Income .....  | 19 |
| Figure 14: Butte County, R/ECAPs Map, 2013 .....   | 23 |
| Figure 15: Butte County, TCAC Area of High Segregation and Poverty Map, 2021 .....               | 24 |
| Figure 16: Butte County, Poverty Status Map, 2019 .....  | 25 |
| Figure 17: Butte County, Neighborhood Segregation Map, 2019 .....                                | 26 |
| Figure 18: Town of Paradise, TCAC Opportunity Areas – Composite Score Map, 2021 .....            | 28 |
| Figure 19: Butte County, TCAC Opportunity Areas – Composite Score Map, 2021 .....                | 29 |
| Figure 20: Jobs Concentration – Pre-Fire .....   | 30 |
| Figure 21: Cost Burden by Tenure .....   | 33 |
| Figure 22: Cost Burden by Income Level .....   | 34 |
| Figure 23: Cost Burden by Race .....   | 35 |
| Figure 24: Cost Burden by Household Size .....   | 36 |
| Figure 25: Cost-Burdened Senior Households by Income Level .....                                 | 37 |
| Figure 26: Unsheltered Point-in-Time (PIT) Count in Butte County .....                           | 38 |
| Figure 27: Homelessness by Household Type and Shelter Status, Chico, Paradise/Butte County ..... | 39 |
| Figure 28: Racial Group Share of General and Homeless Populations, Butte County .....            | 40 |
| Figure 29: Latinx Share of General and Homeless Populations, Butte County .....                  | 41 |
| Figure 30: Characteristics for the Population Experiencing Homelessness, Butte County .....      | 42 |
| Figure 31: Butte County, Mobile Home Parks Map, 2018 .....                                       | 44 |

## LIST OF TABLES

|  |    |
|--|----|
| Table 1: Town of Paradise and Butte County, Number of Households with Housing Choice Vouchers, 2021 .....  | 3  |
| Table 2: Town of Paradise and Butte County, Race and Ethnicity Trends over Time .....  | 8  |
| Table 3: Students in Local Public Schools Experiencing Homelessness .....  | 42 |
| Table 4: Butte County Department of Employment and Social Services, Financial Assistance Provided to<br>Camp Fire Survivors Table, January 2019 to July 2021 ..... | 47 |
| Table 5: Butte-Glenn 211, Camp Fire Contacts and Referred Services Data Table, November 2018 to<br>October 2021 .....  | 47 |
| Table 6: Fair Housing Action Plan .....  | 50 |

## ASSESSMENT OF FAIR HOUSING

In 2018, California legislators introduced Assembly Bill (AB) 686 to try to ameliorate issues brought about by historic patterns of segregation that have led to neighborhoods with concentrated poverty and poor housing stock, limited access to opportunity, unsafe environmental conditions, underfunded schools, dilapidated infrastructure, and other disproportionately experienced problems throughout the state. AB 686 defines Affirmatively Furthering Fair Housing (AFFH) as “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

Specifically, these meaningful actions must aim to accomplish the following:

- Address significant disparities in housing needs and in access to opportunity;
- Replace segregated living patterns with truly integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

AB 686 also creates new requirements for housing elements due on or after January 2021, including (1) outreach to community stakeholders in the housing element public participation process, (2) an assessment of fair housing practices, (3) an analysis of the relationship between available sites and areas of high or low resources, and (4) concrete actions and programs to affirmatively further fair housing.

In Paradise, Census data that is normally used to identify fair housing issues is outdated. Census data were collected prior to the 2018 Camp Fire and do not reflect the on-the-ground reality that renters and homeowners are facing since the fire and its destruction throughout the town. Instead, to examine fair housing issues for the required assessment of fair housing practices, this chapter uses the Town of Paradise 2021 Local Census data and correspondence with representatives of impacted groups, such as those who lost their homes and developmentally disabled adults, which also addresses the first component of the new Housing Element requirements: outreach. As discussed in Chapter 7: Community Participation, in addition to the standard public hearing process, interviews were conducted with eight stakeholder groups in an effort to reach all segments of the community.

As guided by HCD, the Assessment of Fair Housing is organized by the following five topics:

- Fair Housing Enforcement and Outreach Capacity
- Segregation and Integration
- Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)
- Disparities in Access to Opportunity
- Disproportionate Housing Needs and Displacement Risk

### A. FAIR HOUSING ENFORCEMENT AND OUTREACH CAPACITY

The first topic of the Assessment of Fair Housing is an assessment of the jurisdiction’s fair housing enforcement and outreach capacity. Pursuant to the California Fair Employment and Housing Act [Government Code Section 12921 (a)], the opportunity to seek, obtain, and hold housing cannot be determined by an individual’s “race, color, religion, sex, gender, gender identity, gender expression,

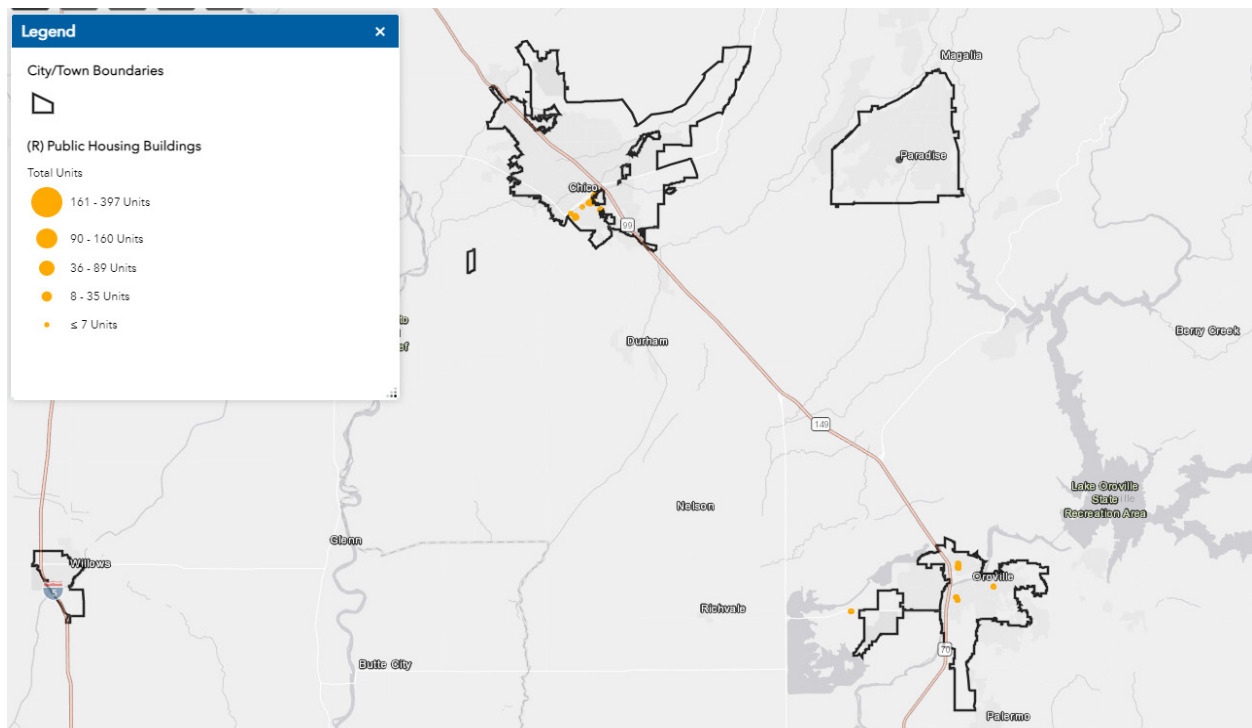


## APPENDIX B

sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, genetic information, or any other basis prohibited by Section 51 of the Civil Code.”

### LOCAL AND REGIONAL PATTERNS AND TRENDS

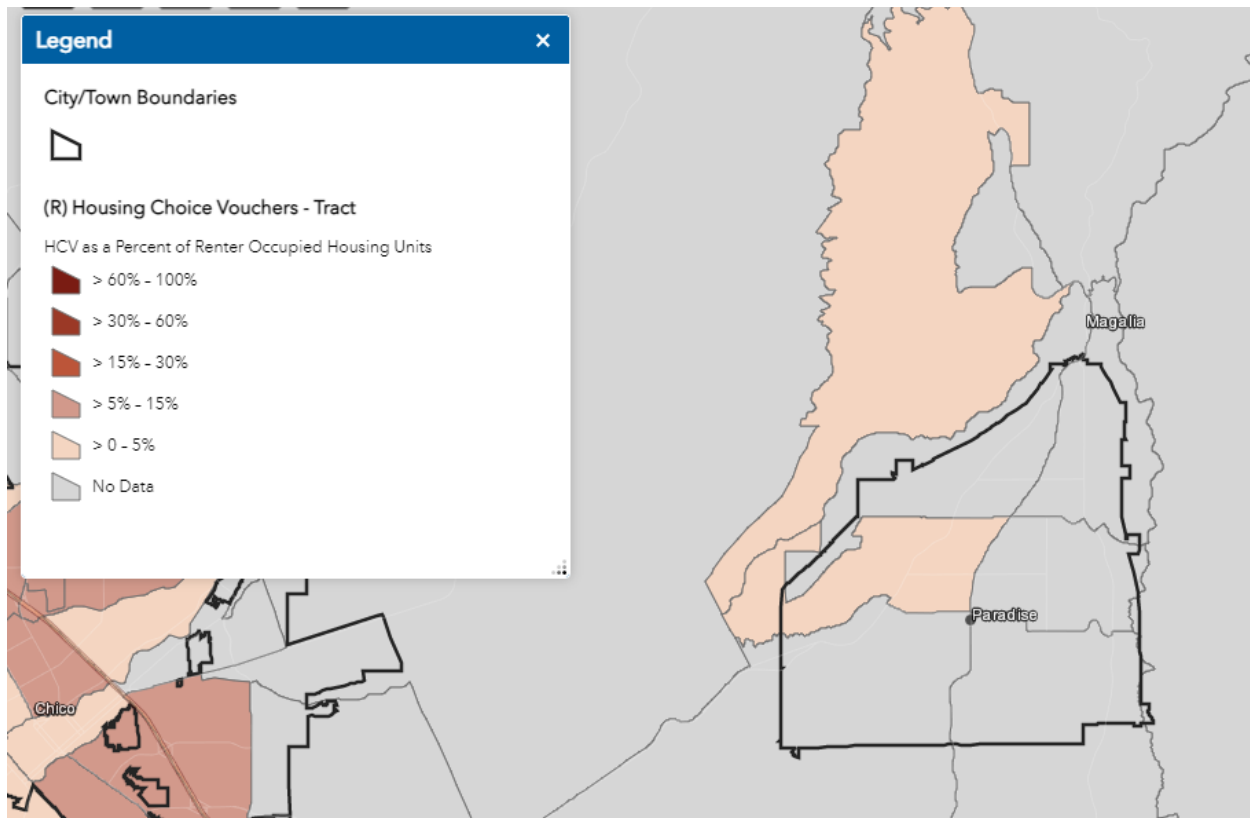
Local and regional patterns and trends are identified through data on public housing buildings and Housing Choice Vouchers in the Town of Paradise, as well as interviews with regional stakeholders whose service areas include the Town. Maps and data tables of public housing buildings and Housing Choice Vouchers in and around Paradise provide information to identify any areas of concentration of affordable housing in the County. Figure 1 depicts the geographic distribution of public housing buildings in the areas surrounding the Town of Paradise. Public housing buildings are those owned and managed by the Housing Authority of the County of Butte, and not other subsidized affordable housing. All public housing buildings in the County are located in the southcentral and southwest parts of the City of Chico and throughout the City of Oroville. While the Town does not operate public housing, the Housing Authority of Butte County bought one site in 2000 that included 12 units (Kathy Court Apartments). This building burned down in the 2018 Camp Fire. The Housing Authority does desire to rebuild, though no rebuild permits have been issued yet.



**Figure 1: Regional Public Housing Buildings Map, 2021**

*Source: HCD AFFH Data Resources and Mapping Tool: U.S. Housing and Urban Development*

Figure 2 depicts Housing Choice Vouchers (HCVs) as a percentage of renter occupied housing units in the Town of Paradise. There are no HCVs being used in most parts of the Town, but the census tract that overlaps with Magalia in the west of Paradise uses HCVs for up to 5 percent of renter occupied housing units. However, the data used to produce this map was collected prior the 2018 Camp Fire.



**Figure 2: Town of Paradise, Housing Choice Vouchers by Census Tract Map, 2021**

Source: HCD AFFH Data Resources and Mapping Tool: U.S. Housing and Urban Development

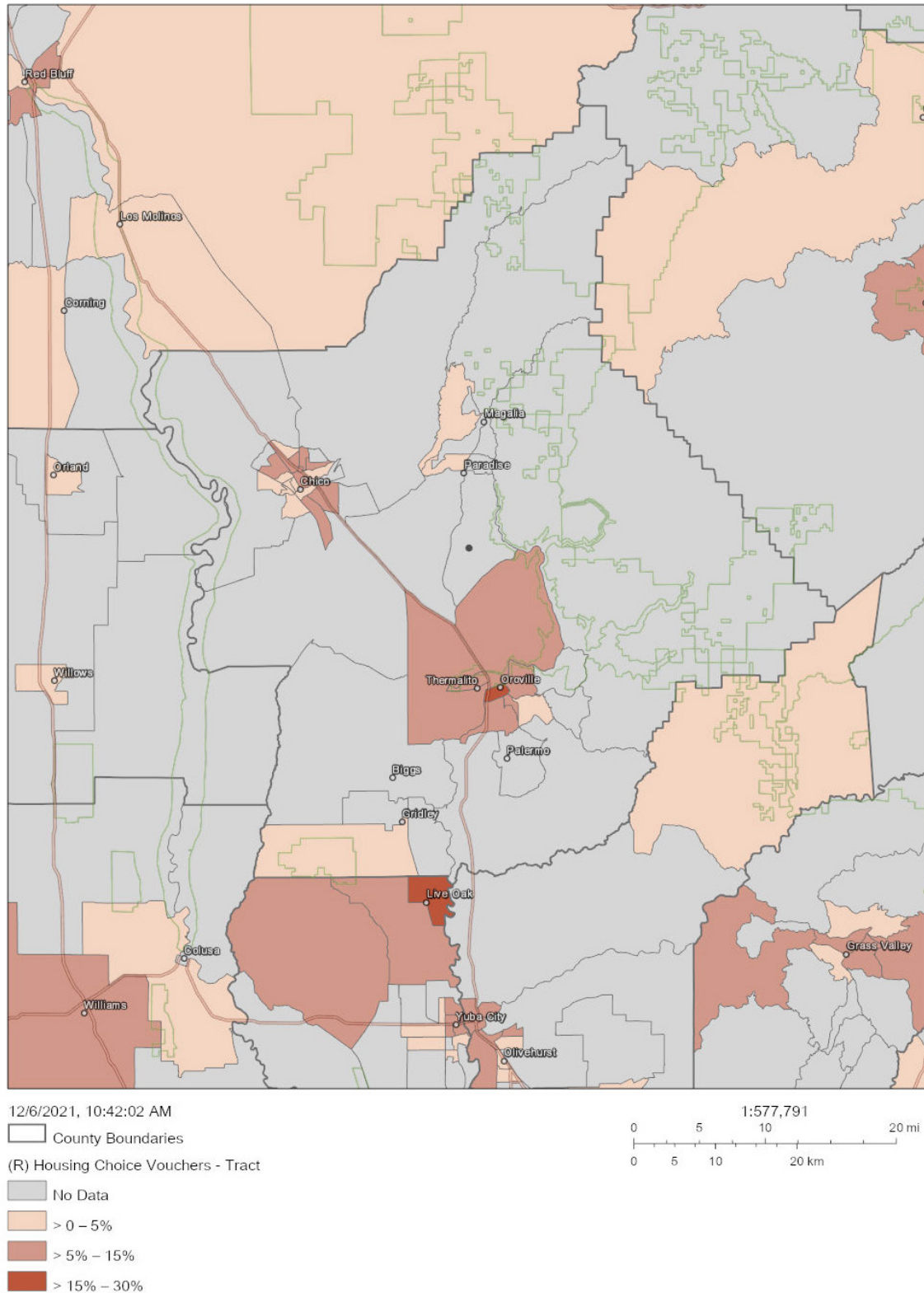
Table 1 shows the number of households who hold Housing Choice Vouchers (HCVs) in the Town of Paradise and Butte County in 2021. HCVs allow very low-income families to choose and rent safe, decent, and affordable privately-owned rental housing. The Housing Authority of the County of Butte reported that it provided a total of 86 HCVs to residents in the Town of Paradise and Magalia. These 86 HCVs make up approximately 5 percent of all the HCVs in use in Butte County as a whole (1,684).

**TABLE 1: TOWN OF PARADISE AND BUTTE COUNTY, NUMBER OF HOUSEHOLDS WITH HOUSING CHOICE VOUCHERS, 2021**

| Jurisdiction     | Number of Households<br>with Housing Choice Vouchers |
|------------------|--|
| Town of Paradise | 86   |
| Butte County     | 1,684  |

Source: Housing Authority of the County of Butte.

Figure 3 depicts Housing Choice Vouchers (HCVs) as a percentage of renter occupied housing units in Butte County. Much of the unincorporated county does not have data available. Census tracts west of Magalia/Paradise and west of Gridley have 0-5 percent of renter occupied housing units as households with an HCV. Many of the census tracts surrounding Thermalito and Oroville have 5-15 percent of renter



**Figure 3: Butte County, Housing Choice Vouchers by Census Tract Map, 2021**

Source: HCD AFFH Data Resources and Mapping Tool: U.S. Housing and Urban Development

occupied housing units as households with an HCV. The City of Oroville is the only area in the county with 15-30 percent of renter occupied housing units as households with an HCV.

Figure 4 depicts post-fire local data on the location of households using HCVs. Each dot signifies one household. The households utilizing HCVs appear to be spread throughout many parts of the Town and in Magalia, however, there are some clusters around Elliot Road and Buschmann Road in Paradise due to a high concentration of multi-family units in these areas, and in between Imperial Way and Rosewood Drive in Magalia where there are older mobile homes in a fairly dense neighborhood. These areas are likely to have a higher rate of affordable rentals due to the types of homes in the area.

## LOCAL DATA AND KNOWLEDGE

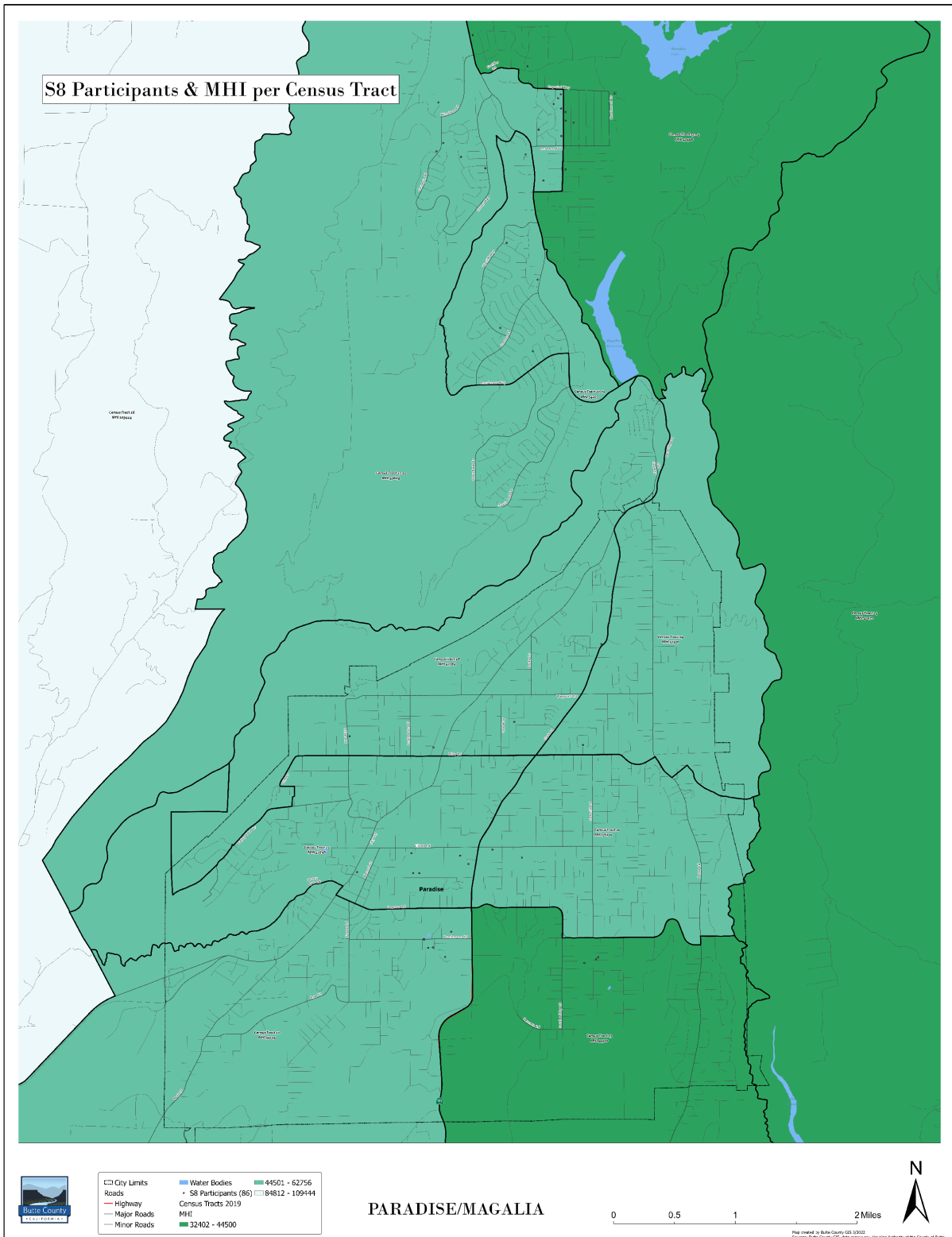
Correspondence with regional stakeholders whose services areas include the Town of Paradise provide qualitative data for analysis.

The Town of Paradise housing programs are funded through State and Federal Grants and bring dollars into the community that not only help residents and improve housing stock, but also support those residents who work in the housing industry, including realtors, lenders, contractors/sub-contractors, and building suppliers.

The Town does not host or sponsor any fair housing workshops due to not having enough of a consumer base post-fire, but does have fair housing enforcement and outreach materials such as brochures and posters available at Town Hall and the Business and Housing office. On the Town's website, [www.townofparadise.com/housing](http://www.townofparadise.com/housing), the Town is currently working to add a section called "Fair Housing and Tenant Information" which will provide resources and information to the community, including COVID-19 eviction information, Legal Services of Northern California's "Fair Housing and You" booklet, Tenants Together tenant foreclosure hotline, a list of protected classes, and more. The Town's webpage will also provide contact information (website and/or phone number) for the following fair housing organizations:

- California Department of Fair Employment and Housing (DFEH)
- Community Legal Information Center (CLIC)
- Disability Action Center
- Housing Authority of the County of Butte (HACB)
- Legal Services of Northern California (LSNC)
- North Valley Property Owners Association (NVPOA)
- Self-Help Assistance & Referral Program (SHARP)
- Sierra North Valley Realtors
- United States Department of Housing and Urban Development (HUD)

Legal Services of Northern California (LSNC) addresses fair housing issues that come up for community members. Fair housing complaints that are brought to the Town's attention are referred to LSNC, who represents low-income individuals and families who are alleging a fair housing violation. Many such cases are resolved with settlement agreements. As appropriate, complaints may be further referred to the Federal Office of Fair Housing and Equal Opportunity, or the State of California Fair Housing & Employment Commission.



**Figure 4: Section 8 Households and MHI Per Census Tract, March 2022**

Source: Housing Authority of Butte County

One complaint has been reported post-fire to the Town by the United States Department of Housing and Urban Development (HUD) due to the Town's federal and state housing programs being only for owners, not renters. Prior to the 2018 Camp Fire, the Town had not received any other complaints from HUD. The Town is not aware of any HUD findings of violation of the Fair Housing Act in any publicly funded housing or housing related activities in the Town. The Town will continue to work with housing and legal providers in the jurisdiction, primarily LSNC and the Housing Authority of the County of Butte (HACB), to determine if any such findings have occurred without the Town's knowledge.

## CONCLUSIONS AND SUMMARY OF ISSUES

In conclusion, while there are no public housing buildings in Paradise post-fire and not very many households who utilize Housing Choice Vouchers, those who are appear evenly spread throughout the Town and surrounding areas, despite some clustering in areas where multi-family units are more prevalent. Complaints about housing discrimination in the Town have not been an issue, but the Town is being proactive about adding fair housing programming and resources to its website and working with local organizations who provide these services.

## B. SEGREGATION AND INTEGRATION

The second topic of the Assessment of Fair Housing is an assessment of segregation and integration in the jurisdiction. According to *HCD's Affirmatively Furthering Fair Housing Guidance Memo*, segregation generally means a condition in which there is a high concentration of people of a particular race, color, religion, sex, familial status, national origin, or disability in a particular geographic area when compared to a broader geographic area. This section discusses levels of segregation and integration for race and ethnicity, language, familial status, persons with disabilities, and income, and identifies the groups that experience the highest levels of segregation.

### LOCAL AND REGIONAL PATTERNS AND TRENDS

Data tables, narrative, local knowledge, and maps are used to illustrate local and regional patterns and trends regarding segregation and integration for race and ethnicity, language, familial status, persons with disabilities, and income.

The Paradise Ridge was established as a permanent settlement during the gold rush era and has transformed over time from mining to subsistence farming, to logging and agriculture, to modest retail trade. Today, it is primarily a residential community. The discovery of gold led to a predominantly Anglo settlement, which remains the main demographic of the population that exists in the Town today.<sup>1</sup> However, according to observations from Town staff, the rebuilding process after the 2018 Camp Fire has led to the population becoming more diverse.

### Race and Ethnicity

Table 2 depicts race and ethnicity for Paradise and Butte County in 2010 compared to the 2019 Census data for the County and the 2021 Town of Paradise Local Census Survey. Assuming the Town's

<sup>1</sup> McDonald, Lois, 2000. "This Paradise We Call Home." Gold Nugget Museum.

TABLE 2: TOWN OF PARADISE AND BUTTE COUNTY, RACE AND ETHNICITY TRENDS OVER TIME

| Race or Ethnicity                                      | Town of Paradise  |                             |                   |                               |                  | Butte County      |                             |                   |                             |                  |
|--|-------------------|-----------------------------|-------------------|-------------------------------|------------------|-------------------|-----------------------------|-------------------|-----------------------------|------------------|
|  | 2010              |                             | 2021              |                               | 2010-2019        | 2010              |                             | 2019              |                             | 2010-2019        |
|  | Number of Persons | Percent of Total Population | Number of Persons | Percent of Survey Respondents | Potential Change | Number of Persons | Percent of Total Population | Number of Persons | Percent of Total Population | Potential Change |
| Hispanic/Latino (of any race)                          | 1,833             | 7.0%                        | --                | 7.1%                          | +0.1%            | 29,512            | 13.5%                       | 36,916            | 16.3%                       | +2.8%            |
| White, not Hispanic/Latino                             | 22,909            | 86.9%                       | --                | 86.4%                         | -0.5%            | 166,463           | 76.1%                       | 162,537           | 72.0%                       | -4.1%            |
| Black or African American, not Hispanic/Latino         | 81                | 0.3%                        | --                | 1.2%                          | +0.9%            | 3,012             | 1.4%                        | 3,342             | 1.5%                        | +0.1             |
| American Indian and Alaska Native, not Hispanic/Latino | 86                | 0.3%                        | --                | 3.2%                          | +2.9%            | 2,050             | 0.9%                        | 1,669             | 0.8%                        | -0.1%            |
| Asian, not Hispanic/Latino                             | 353               | 1.3%                        | --                | 2.1%                          | +0.8%            | 8,658             | 4.0%                        | 10,057            | 4.5%                        | +0.5%            |
| Some other Race, or Two or More Races                  | 1,089             | 4.1%                        | --                | 0.0%                          | -4.1%            | 8,940             | 4.1%                        | 11,266            | 4.9%                        | +0.8%            |
| <b>Total</b>   | <b>26,351</b>     | <b>100%</b>                 | <b>4,485</b>      | <b>100%</b>                   | <b>-82.8%</b>    | <b>218,635</b>    | <b>100%</b>                 | <b>225,817</b>    | <b>100%</b>                 | <b>+3.3%</b>     |

Source: U.S. Census 2006-2010 and 2015-2019 American Community Survey.



survey reflects similar demographic trends as the total population, the Town experienced an increase in the proportion of American Indian and Alaskan Native residents, and a decrease of residents who selected other race or multiple races. The County overall has experienced an increase of Hispanic/Latino residents and a decrease of White, not Hispanic/Latino residents. All other changes in the racial and ethnic makeup of the jurisdictions were less than 1 percent.

Figure 5 depicts racial demographics in Butte County in 2018 prior to the Camp Fire. The map shows the total percentage of the non-White population (i.e., people of color) by block group by subtracting the total White population from the reported population total. The darker the color on the map, the higher the concentration of the non-White population. For a jurisdiction such as Butte County with relatively low racial and ethnic diversity compared to the State of California, depicting the non-White population as a whole can better illustrate areas of greatest racial and ethnic diversity. Compared to Figure 6, which shows the same information as of 2010, the County has become more diverse, but most of the growth of the non-White population has been concentrated in the area between Chico and Gridley.

Figure 7 depicts racial demographics in Paradise in 2018 prior to the Camp Fire. Almost every census tract that makes up the Town has less than 20 percent non-White population, except for downtown in the area bounded by Bille Road to the north, Clark Road to the east, Pearson Road to the south, and Skyway to the west. This area has a slightly increased non-White population of 22.6 percent non-White in the northern half of downtown and 20.3 percent non-White in the southern half of downtown. The small increase in racial diversity in this area is not substantially different from the rest of town, but it could be due to the relatively greater amount of multi-family buildings in and around downtown compared to other parts of town or the fact that this was an older area of town with older housing stock pre-fire. The growing diversity in downtown is a change from 2010, shown in Figure 8, where none of the Town had a non-White population over 20 percent.

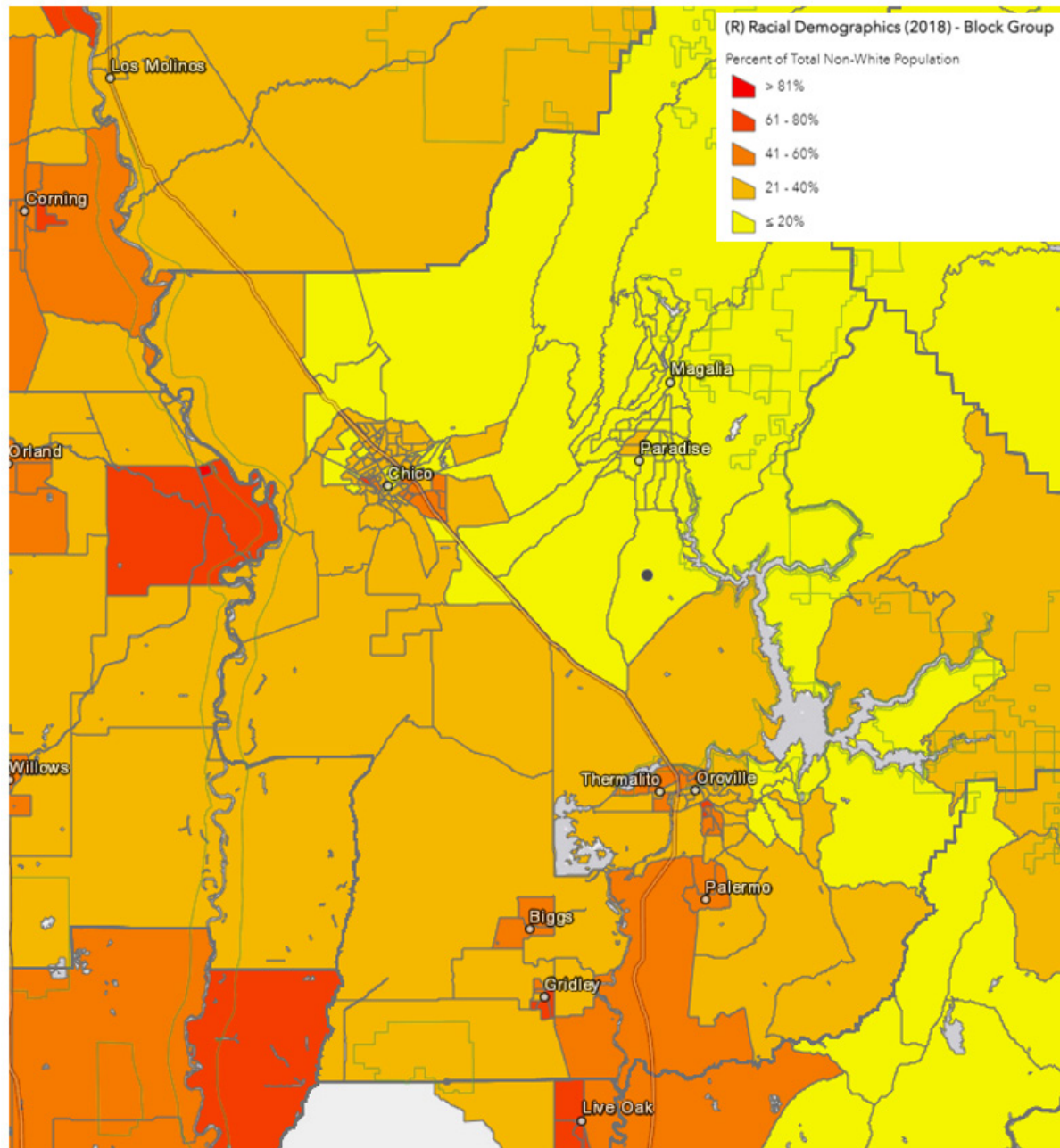
In the rebuilding completed to date, Town staff have reported that all new housing has been evenly dispersed in size and type. There are no single neighborhoods or areas of town where BIPOC populations are concentrated. As the town continues to rebuild, it is anticipated that multi-family buildings will continue to be located downtown near services and bus transit, especially with the proposed sewer that will allow denser projects in this area of town. This could lead to trends of continued diversity in this area.

## Language

In 2018 prior the Camp Fire, 6 percent (174 residents) of the Town's population 5 years and over spoke English "Not well" or "Not at all," and in Butte County the proportion was 7 percent (5,358 residents). While the Town does not have exact post-fire data to compare this to, 8 respondents (0.7 percent) of the 2021 Town of Paradise Local Census Survey selected Spanish as their Primary Language and another 8 (0.7 percent) selected Other. In Butte County, the percentage of people who spoke a language other than English at home increased and the number of persons over 5 years of age who are not fluent in English decreased.

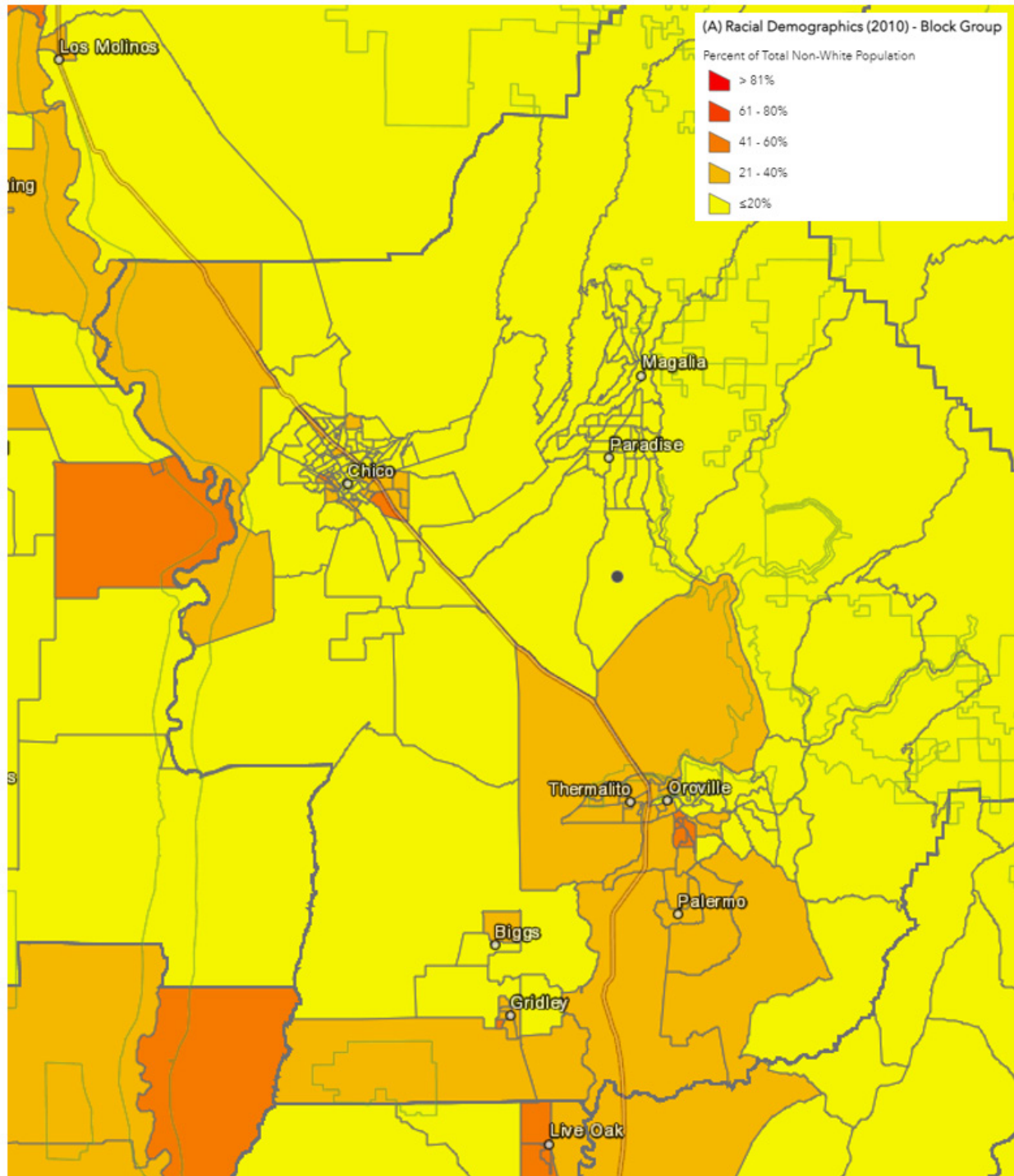
The percentage of non-English speakers in the town is very small and Town staff are not aware of any linguistic enclaves either pre- or post-fire.





**Figure 5: Butte County, Non-White Demographics Map, 2018**

Source: HCD AFFH Data Resources and Mapping Tool: Esri



**Figure 6: Butte County, Non-White Demographics Map, 2010**

Source: HCD AFFH Data Resources and Mapping Tool: Esri

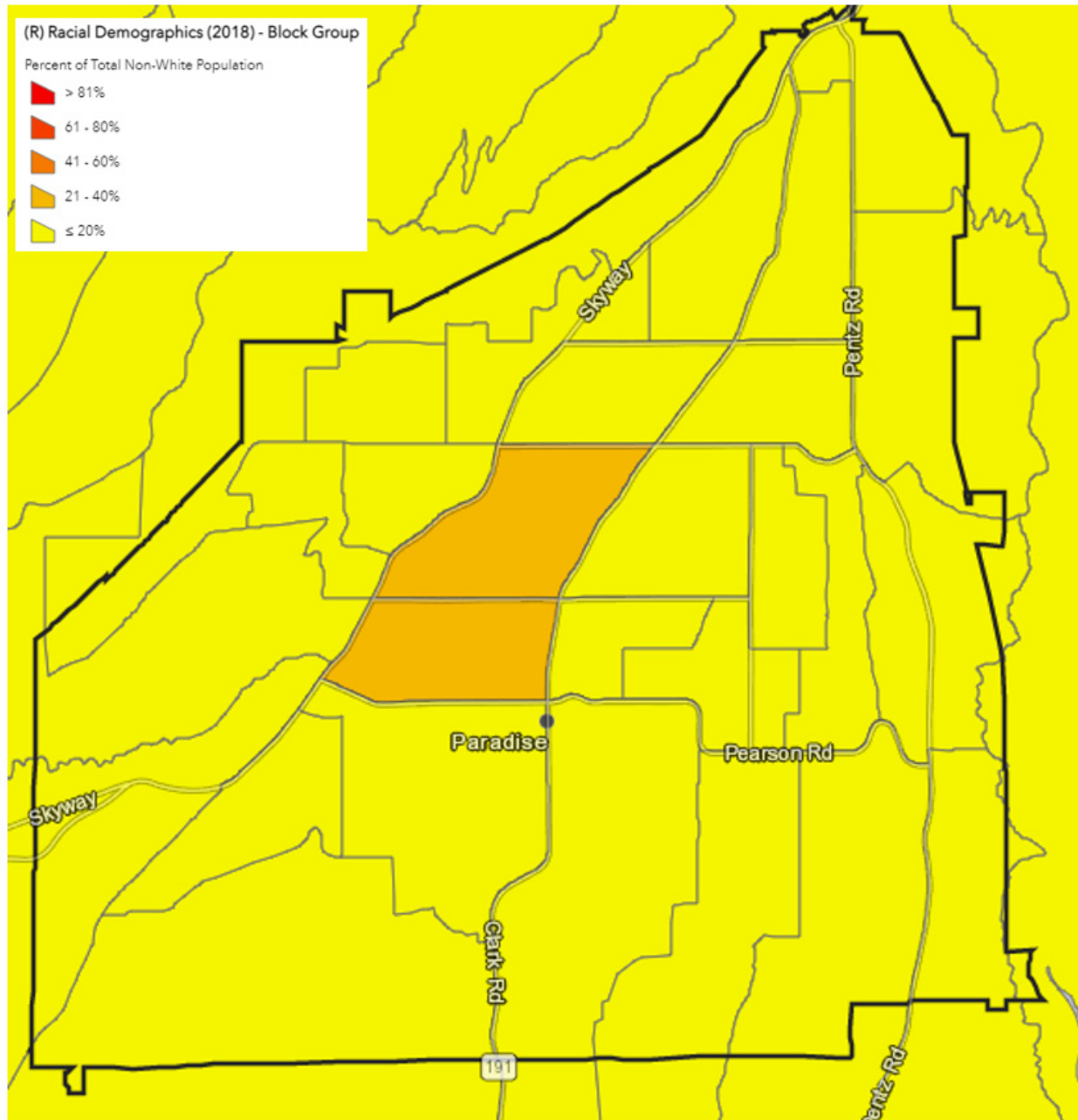
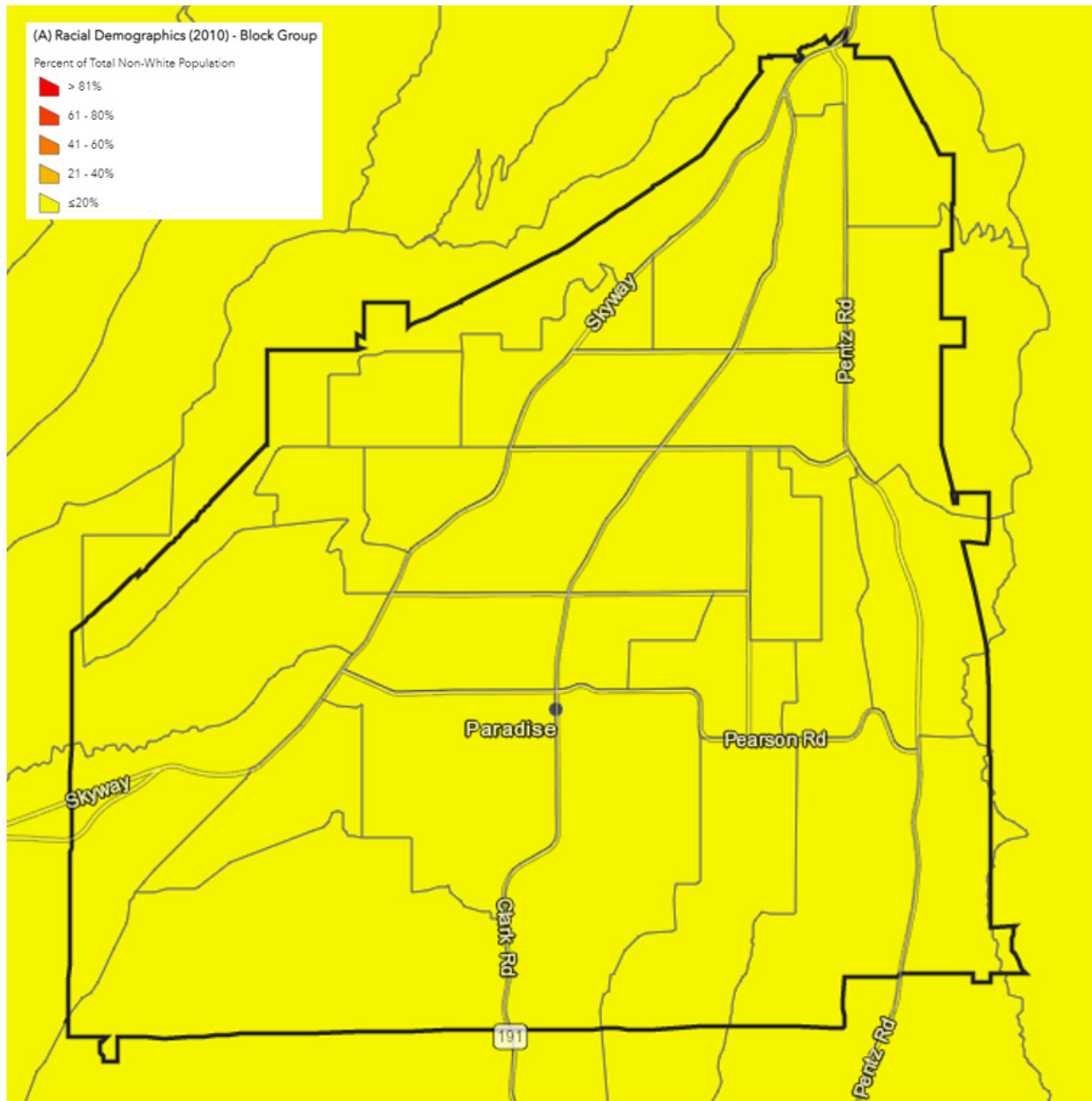


Figure 7: Town of Paradise, Non-White Demographics Map, 2018

Source: HCD AFFH Data Resources and Mapping Tool: Esri



**Figure 8: Town of Paradise, Non-White Demographics Map, 2010**

Source: HCD AFFH Data Resources and Mapping Tool: Esri

**Familial Status**

Figure 9 shows the percentage of children living in single parent, female-headed households in Butte County. The only census tract in Butte County that has 40-60 percent of children living in single parent female households is located in Chico. The census tracts west of Oroville/Thermalito and Gridley as well as north of Paradise and Magalia have 20-40 percent of children living in single parent, female households, but it must be noted that this data does not reflect post-fire conditions. The remaining census tracts in the County have 20 percent or fewer children living in single parent female households.

The pre-fire maps show greater concentrations of female-headed households in northern Paradise than the rest of town. In general, Town staff are aware that single parent households typically live in multi-family buildings in Paradise, but there are not known concentrations of neighborhoods or areas where female-headed households live.

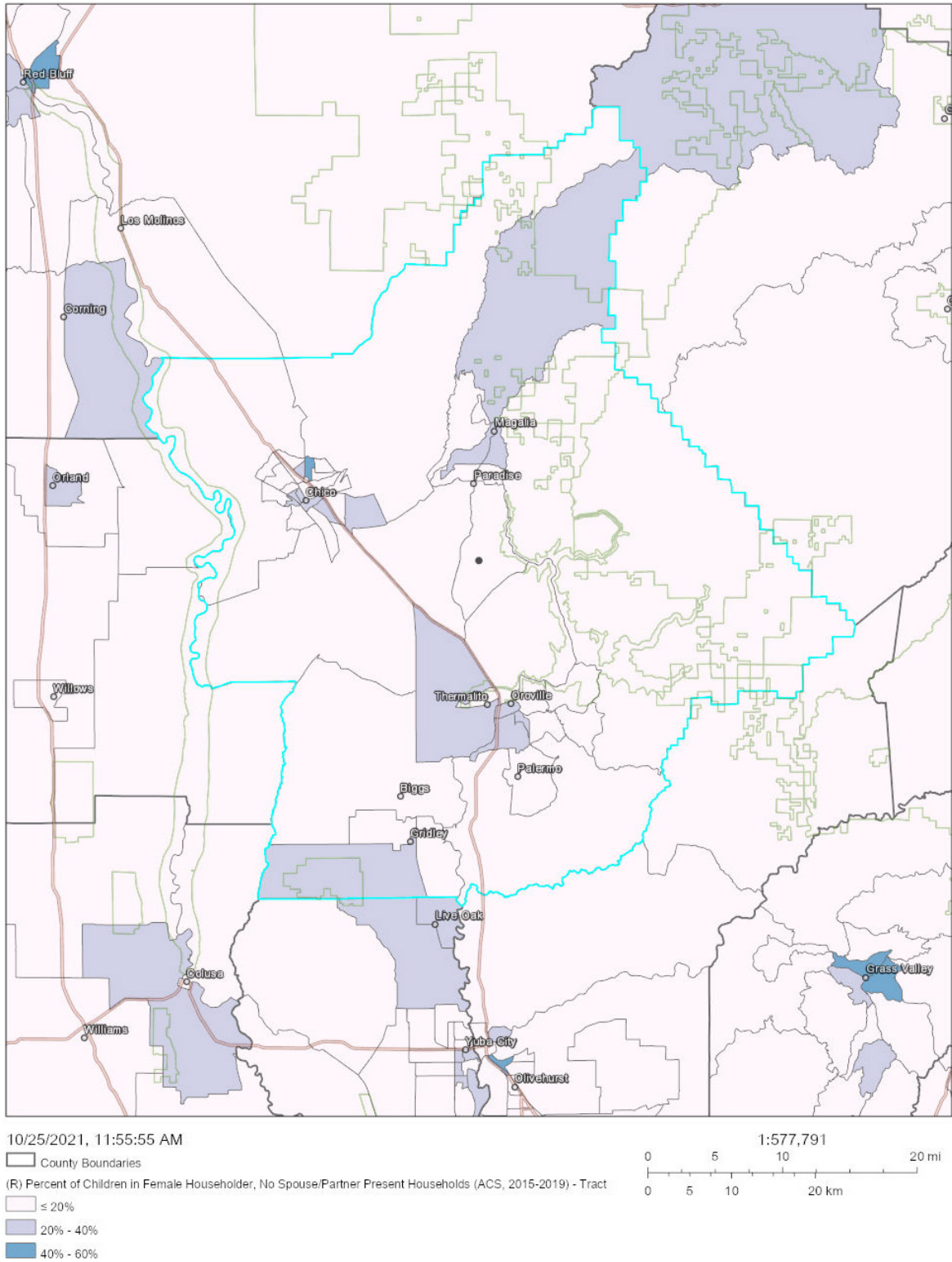
A different way of looking at single parent households is looking at the distribution of children living in married couple households. Figure 10 shows the percentage of children living in married couple households in Butte County according to the 2015-2019 Census estimates (pre-fire data). The census tracts with more than 80 percent of children living in married couple households are mostly located in north Butte County around the city of Chico. Portions of Butte Valley, east Gridley, and east Oroville also have more than 80 percent of children living in married couple households. Eastern Butte county north of Oroville and east of Paradise and Magalia has mostly 20-40 percent of children living in married couple households.

In Paradise, the pre-fire maps show fewer children in married-couple households in northern Paradise. Southeastern Paradise and downtown Paradise had the highest concentrations of children in married-couple households.

**Persons with Disabilities**

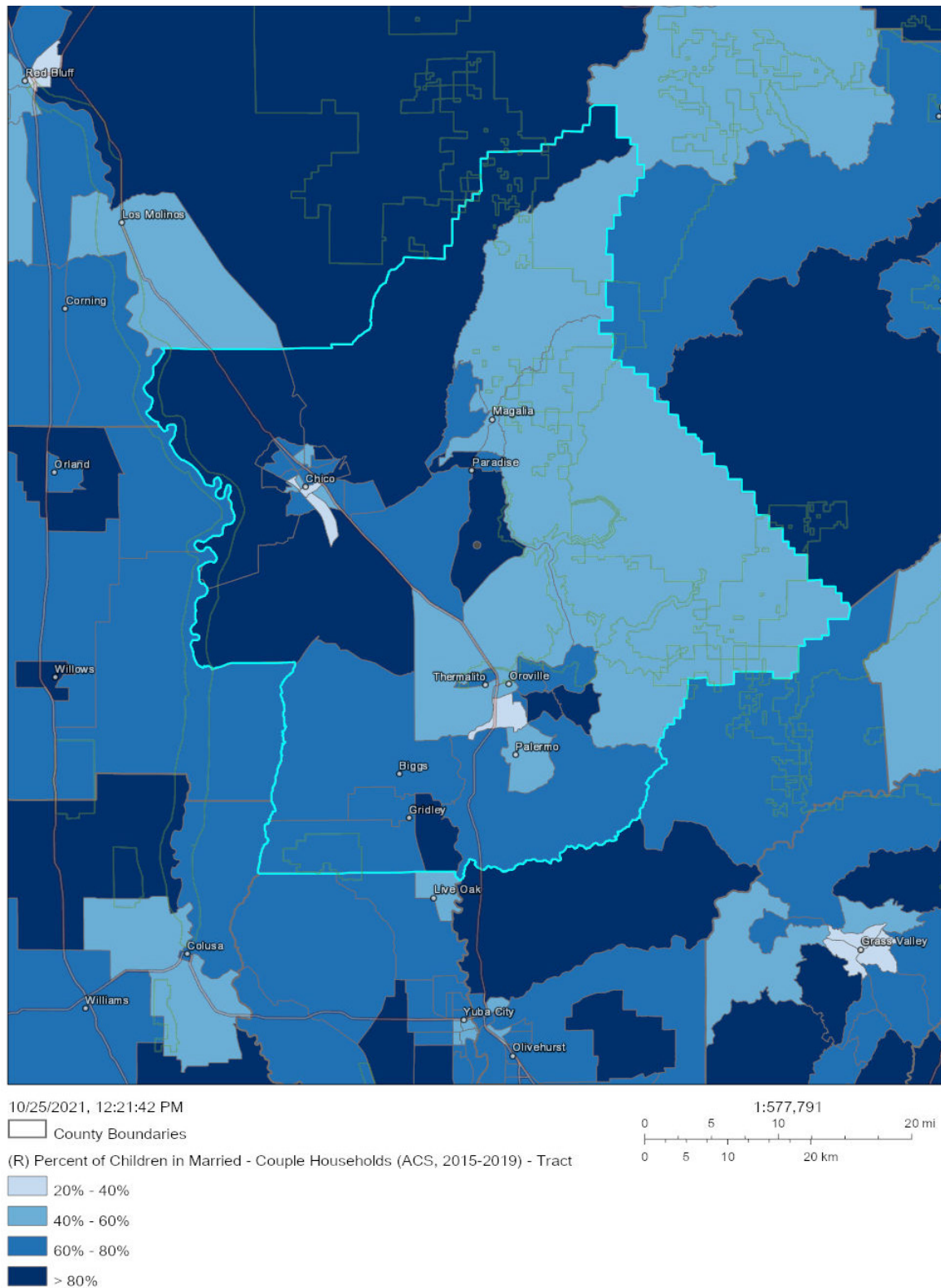
When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers. Paradise is home to a large population of persons with disabilities; 18 percent of people in the town have a disability of any kind (compared with 7 percent statewide). Data on developmental disabilities shows that the most common living arrangement for individuals with developmental disabilities in Paradise is the home of parent/family/guardian. This could be why persons with disabilities were equally spread out throughout the town before the fire, as shown in Figure 11. Almost all census tracts in Paradise had 20-30 percent of the population identify as having a disability. California Vocations had housing for persons with disabilities on upper Clark Road, but this was lost in the fire. There are no known housing projects for persons with disabilities post-fire.





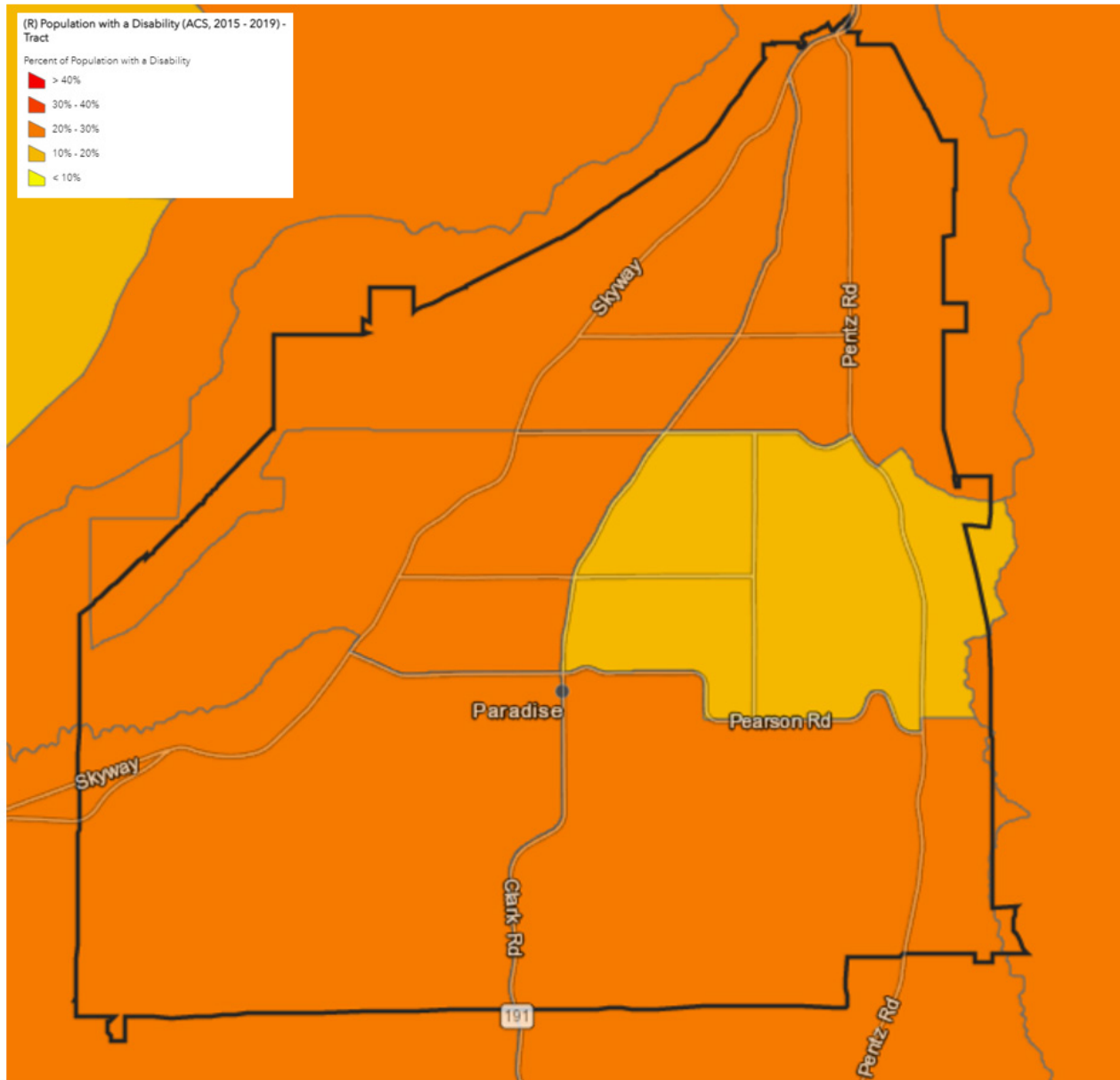
**Figure 9: Butte County, Percent of Children in Single Parent Female Households Map, 2019**

Source: HCD AFFH Data Resources and Mapping Tool: 2015-2019 American Community Survey



**Figure 10: Butte County, Percent of Children in Married Couple Households Map, 2019**

Source: HCD AFFH Data Resources and Mapping Tool: 2015-2019 American Community Survey

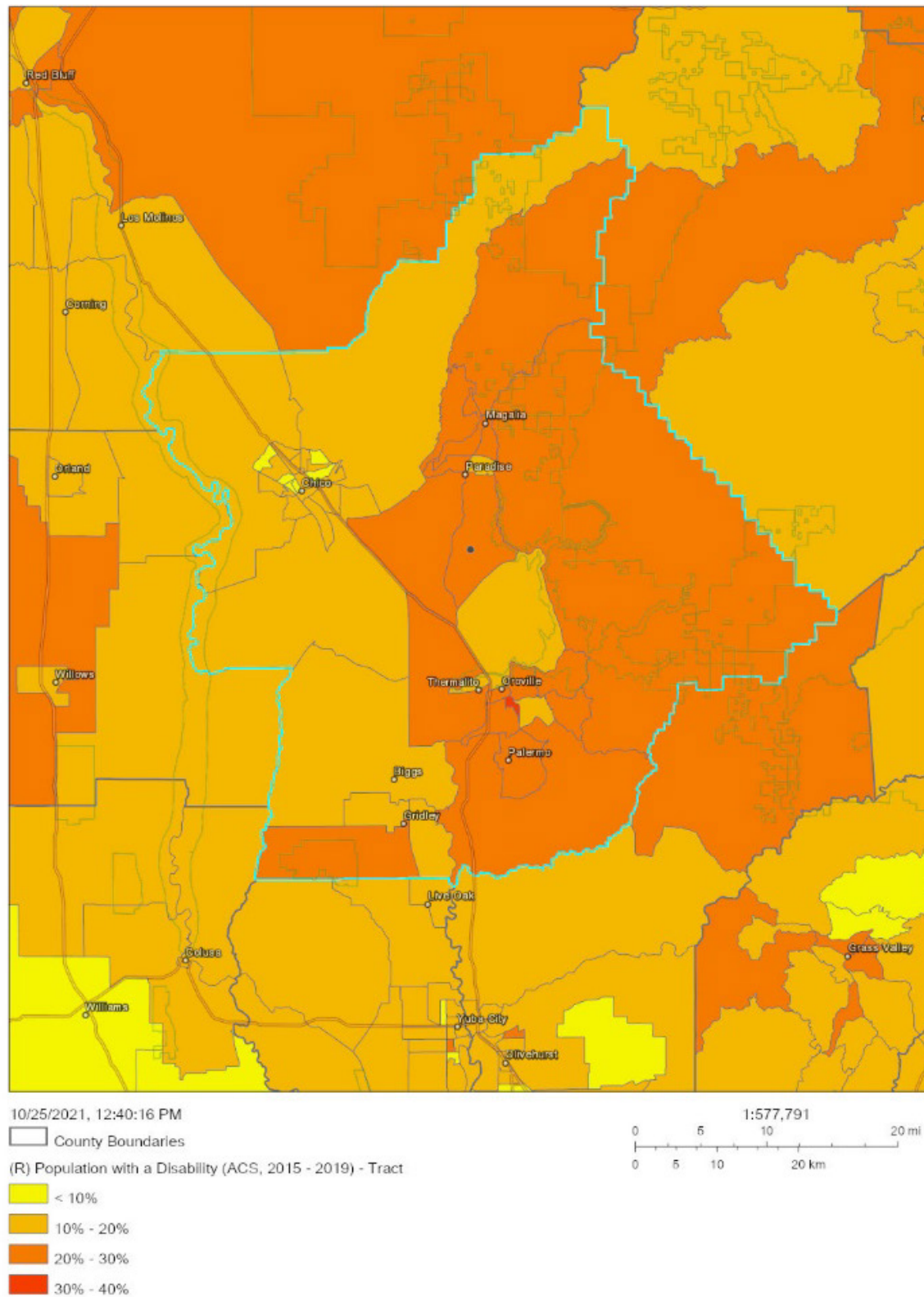


**Figure 11: Town of Paradise, Percent of Population with a Disability, 2019**

*Source: HCD AFFH Data Resources and Mapping Tool: 2015-2019 American Community Survey*

Figure 11 shows the percentage of the population that has a disability in a given census tract in Butte County in 2019. Generally, an estimated 10-20 percent of western Butte County's population has a disability compared to 20-30 percent of eastern Butte County. Only the City of Chico has census tracts with less than 10 percent of the population with a disability. Only the City of Oroville has a census tract with 30-40 percent of the population with a disability. Figure 12 shows the percentage of the population with a disability in Paradise using pre-fire data.



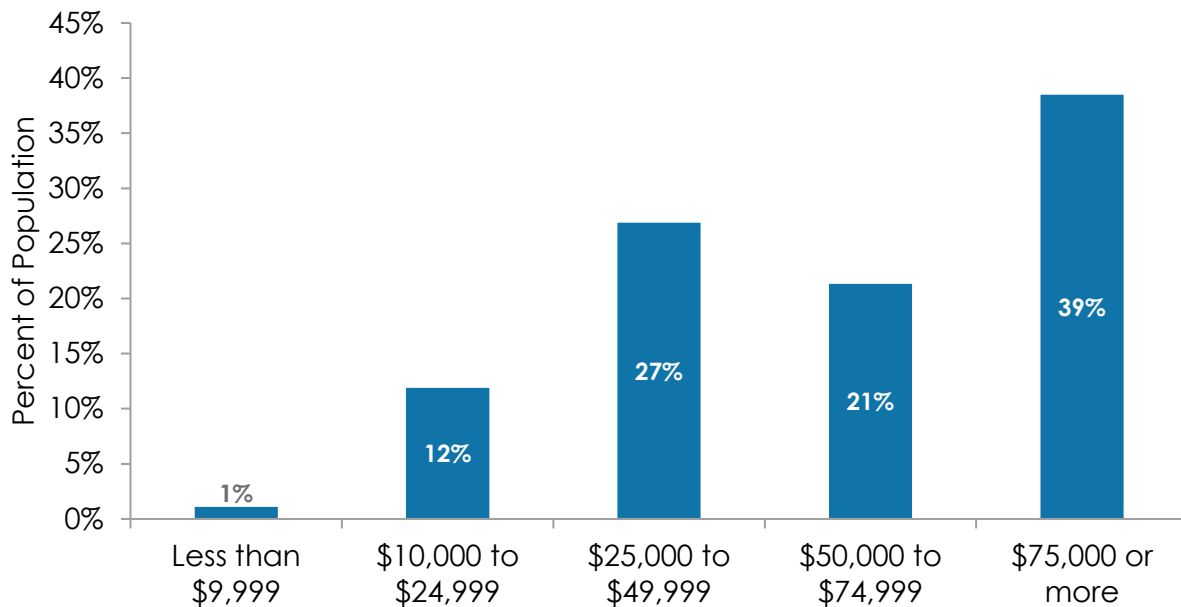


**Figure 12: Butte County, Percent of Population with a Disability, 2019**

Source: HCD AFFH Data Resources and Mapping Tool: 2015-2019 American Community Survey

## Income

While there is not accurate quantitative data on what parts of the Town may have higher or lower incomes, Figure 13, from the Town of Paradise Local Census Survey of 2021, shows a breakdown of different wage groups across the Town as a whole, offering additional insight into local dynamics since the fire.<sup>2</sup> As shown in Figure 8, most respondents to the local census recorded incomes of \$75,000 or more, followed by incomes between \$25,000 and \$49,999. This is consistent with pre-fire (2015-2019 ACS) data indicating a median income of \$51,566.



**Figure 13: Household Income**

Source: Town of Paradise Local Census Survey 2021.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

Town staff have reported that higher-income households are primarily located in West Canyon (e.g., Valley Ridge Drive) and Southeast Canyon (e.g., Malibu Drive/Country Club area). In addition, two of the three buildings with existing or planned deed-restricted housing units are located within the same census tract, Paradise Community Village at 1001 Village Parkway and Paradise Gardens III, which is in the rebuilding process, at 1040 Buschmann Road. These two buildings are west of Clark Road and within a 15-minute walk of bus service at the intersection of Clark Road and Pearson Road. Although these two projects could contribute to a concentration of low-income households in one part of town, this is a part of town with access to services and is anticipated to become a more mixed-income and walkable area with the sewer proposal. Furthermore, manufactured housing represents a source of affordable housing in Paradise and is evenly distributed throughout town. Town staff have reported that the rebuilding process has resulted in a fairly even distribution of building types throughout the entirety of town and they have not seen the creation of new low-income neighborhoods.

<sup>2</sup> The source table is top coded at \$75,000, precluding more fine-grained analysis at the higher end of the wage spectrum.

### LOCAL DATA AND KNOWLEDGE

Local data and knowledge on segregation and integration is provided by interviews with California Vocations, Inc. (CVI), Community Housing Improvement Program (CHIP), and local Town staff.

Prior to the Camp Fire, CVI had over 20 supportive living homes owned by community member landlords that CVI provided staffing for, typically with five beds or less and each person having their own bedroom. This model allowed persons with disabilities to be scattered through the town in a way that CVI said was ideal because it supported the independence of their clients to have a home of their own in the community like any other house. CVI also had a residential facility on Upper Clark near the intersection of Clark Road and Cypress Lane that included three residential buildings, a small office, and multi-purpose building. The largest residential building was licensed for 20 people, and the other two buildings for six people. CVI's property was destroyed in the fire, and they used insurance money to buy replacement housing throughout Butte County (primarily in Gridley and Oroville). They currently serve approximately 45 individuals across the county, typically in 2- or 3-bedroom houses.

Interviews with CVI indicate that their clients want to move back to Paradise, but there is not housing for them. CVI is currently looking at three potential sites where they could rebuild housing, but they would need to secure funding to do so: 1620 Cypress Lane, 1930-34 Dean Road, or 565 Pearson Road. The Cypress Lane and Dean Road locations are in northern Paradise, while the Pearson Road location is closer to the downtown core and would be within the Sewer Service Area. CVI is considering a little village of duplex type units and a community center in their project.

CVI is unsure whether their scattered living model will return to Paradise after the fire given that they think people who are rebuilding will want that investment for themselves rather than renting the property. However, CDBG-DR funds can be dispersed among multiple properties, so it is something CVI is interested in exploring. CVI also mentioned the possibility of selling their location on Cypress Lane and buying smaller sites throughout town. Regardless of the location or model of a potential future residential facility/facilities, rebuilding housing for persons with disabilities in Paradise is not anticipated to contribute to segregating persons with disabilities because State-licensed homes must be five bedrooms or less and CVI is most interested in providing homes in quiet neighborhoods that blend into the community given behavioral challenges of their clients and the desire to achieve independence for their clients. CVI is also working with the Butte County Housing Authority to obtain vouchers for clients.

Affordable housing developers are most constrained by the town's septic system, which severely constrains allowed densities, as discussed in Chapter 3, Constraints, and obtaining insurance for new construction. In addition, projects may struggle to secure tax credits given uncertain access to amenities while the town rebuilds. The sewer system could open up opportunities for building deed-restricted affordable housing because it will allow increased densities up to 30 units/acre. This could lead to concentrations of affordable housing and special needs housing primarily in the sewer service area. However, the sewer service area is large (1,500 parcels) and coincides with parts of town that have greater access to transit and services and are well-served by evacuation routes. As this area is built out, it is anticipated to have greater access to opportunity and to provide mixed-income and special needs housing through density bonuses and development incentives (see Programs HI-3 and HI-7). In addition, new multi-family buildings will have to comply with current Americans with Disabilities Act (ADA)

requirements, which will increase the town's supply of accessible housing stock compared to the older pre-fire buildings. Finally, manufactured housing provides naturally occurring affordable housing in Paradise, which helps ensure that housing options for lower-income households are not confined to multi-family properties. The Town allows stick-built, modular, and manufactured housing in all residentially zoned areas.

Paradise's population continues to be largely English-speaking and White, although it has seen some diversification in the years before the fire and in the rebuilding process. As previously mentioned, Town staff have not observed rebuilding patterns that would contribute to racial or economic segregation. Instead, they have reported that a variety of building types have returned, and they have been spread throughout the town; no low-income neighborhoods, linguistically isolated communities, or areas of racial segregation have shown themselves post-fire. The Fair Housing Action Plan at the end of this report includes programs to facilitate integrated living patterns as the town continues to rebuild and change.

### OTHER RELEVANT FACTORS

As the Town continues to rebuild, stakeholders cited a chicken or the egg situation where affordable housing and special needs housing may be reluctant to return to the town until more services are available. The Far Northern Regional Center was cited as a specific catalyst that could help people with disabilities return to the Ridge. Stakeholders mentioned that it is not just housing that will create a more livable and thriving Paradise for special needs groups, but retail, sidewalks, transportation options, medical care, and job options.

### CONCLUSIONS AND SUMMARY OF ISSUES

Paradise is primarily made up of a White, English-speaking population and therefore does not experience segregation in terms of race or languages spoken within the town. However, there have been slight increases in the non-White population in recent years before the fire and according to local town staff active in rebuilding. There is the potential for some economic segregation as Town staff have identified pockets of wealth on the eastern and western edges of town and the sewer project is intended to accommodate the majority of future multi-family housing. However, the market rate rents in Paradise are sometimes equivalent to low-income (80 percent AMI) rents and manufactured housing continues to be a source of affordable housing in Paradise that is dispersed throughout the town. As the town continues to rebuild and change, fair housing programs will work to facilitate greater integration.

## C. RACIALLY AND ETHNICALLY CONCENTRATED AREAS OF POVERTY (R/ECAP)

The third topic of the Assessment of Fair Housing is an assessment of racially and ethnically concentrated areas of poverty (R/ECAP) in the jurisdiction. As detailed in the guidance from HCD, this assessment also separately evaluates significant concentrations of poverty, concentrations of Black, Indigenous, and people of color (BIPOC) populations, and concentrations of affluence at regional and local levels.

## LOCAL AND REGIONAL PATTERNS AND TRENDS

Maps and narrative are used to illustrate local and regional patterns and trends regarding R/ECAPs. HUD developed a census tract-based definition of R/ECAPs which consists of a racial/ethnic concentration threshold and a poverty test. For more urban areas, R/ECAPs must have a non-White population of 50 percent or more whereas for more rural areas the threshold is 20 percent. The poverty test is 40 percent or three or more times the average tract poverty rate for the area. Census tracts that meet both the racial/ethnic concentration threshold and the poverty test are deemed R/ECAPs. The most recent data available to determine R/ECAPs is from 2013. As shown in Figure 14, there are no HUD-defined R/ECAP areas in Butte County.

A more recent data source is the Tax Credit Allocation Committee (TCAC) area of high segregation and poverty map from 2021. Figure 15 depicts areas of high segregation and poverty in 2021 as defined by TCAC throughout Butte County. As of 2021, these areas are located in Chico and around the City of Oroville, including the communities of Thermalito and Palermo. There are no areas of high segregation and poverty as defined by TCAC in Biggs, Gridley, Paradise, or Magalia.

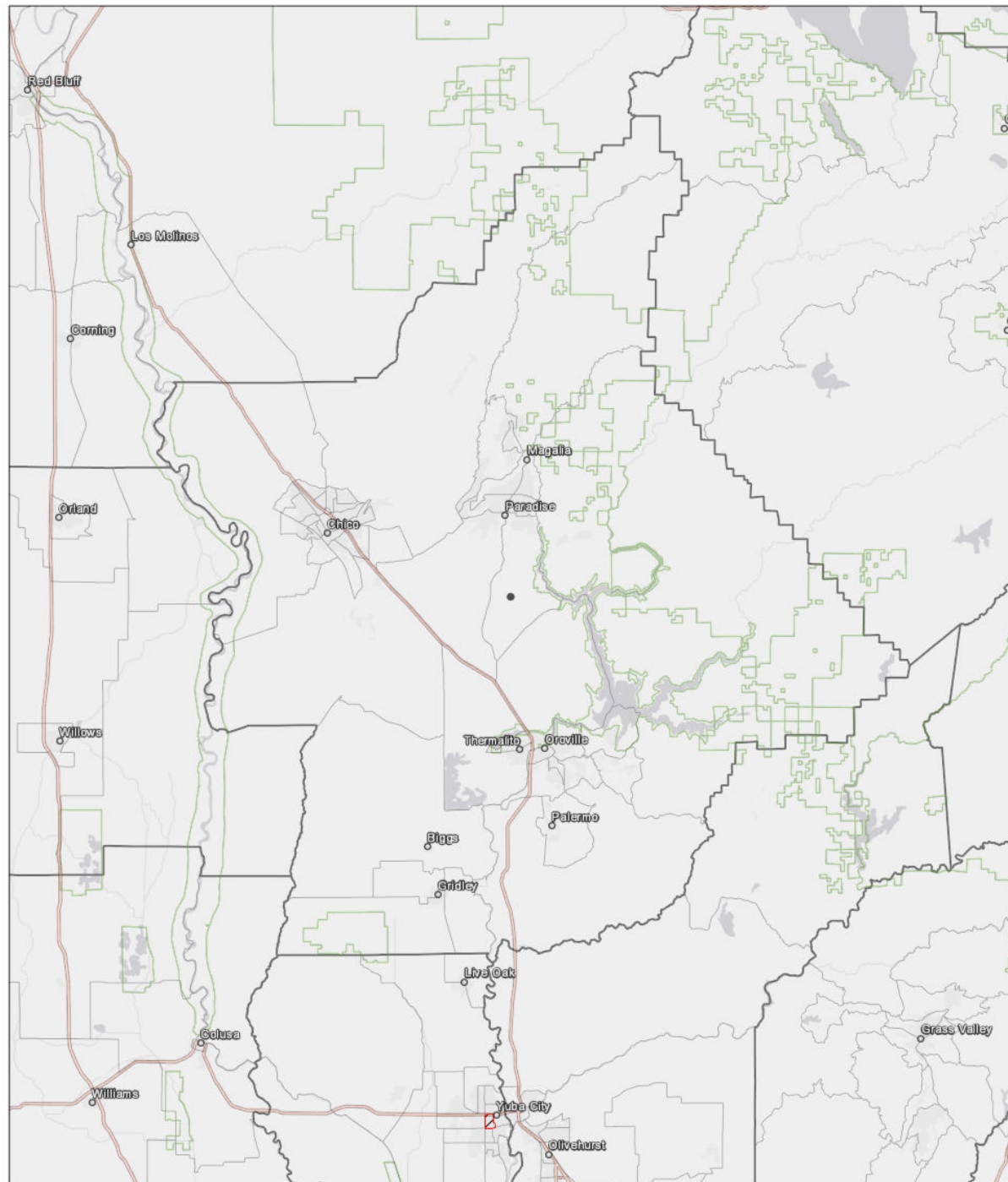
State guidance asks for separate evaluations of significant concentrations of poverty and concentrations of BIPOC populations in addition to the 2013 R/ECAP map and 2021 TCAC area of high segregation and poverty map. Poverty is evaluated by poverty status maps whereas concentrations of BIPOC populations is evaluated by neighborhood segregation maps. Figure 16 shows the percentage of individuals experiencing poverty by census tract using income from the past 12 months. In 2019 in Butte County, the highest rates of poverty (greater than 40 percent) are in Chico as well as 30-40 percent rate of poverty centered around the City of Oroville near the communities of Thermalito and Palermo. Much of south Butte County has a 10-20 percent poverty rate whereas much of north Butte County around the City of Chico has a poverty rate less than 10 percent.

With the Town of Paradise, there are only two remaining affordable developments post-Camp Fire - PCV/CHIP and Paradise Gardens III which is where the Town expects that most households experiencing poverty to be concentrated. Prior to the fire, older areas of town with older housing stock (towards the downtown core) were typically more "affordable."

Figure 17 identifies which racial and ethnic groups have more than 10 percent representation within a given census tract in 2019. Much of northeastern Butte County is identified as "Mostly White," especially between the communities of Chico, Paradise, and Magalia. East of Oroville is also identified as "Mostly White." Much of west Butte County and a portion of south Butte County below Palermo is identified as "Latino-White." The communities of Thermalito and Palermo and census tracts near southeast Chico and north Oroville are identified as "3 Group Mix", which means the census tracts have more than 10 percent representation of three racial and ethnic groups. The area between Thermalito, Oroville, and Palermo is identified as "4 Group Mix", which means the census tracts have more than 10 percent representation of four racial and ethnic groups. The far eastern part of Butte County is identified as "Other-White."

In the Town of Paradise, only 6.2 percent of the population is non-White per the 2019 ACS data and local knowledge has revealed that there is no single neighborhood/area of town where BIPOC are concentrated.





11/8/2021, 8:42:13 AM

County Boundaries

(R) Racially or Ethnically Concentrated Areas of Poverty "R/ECAP'S" (HUD, 2009 - 2013) - Tract

0 - Not a R/ECAP

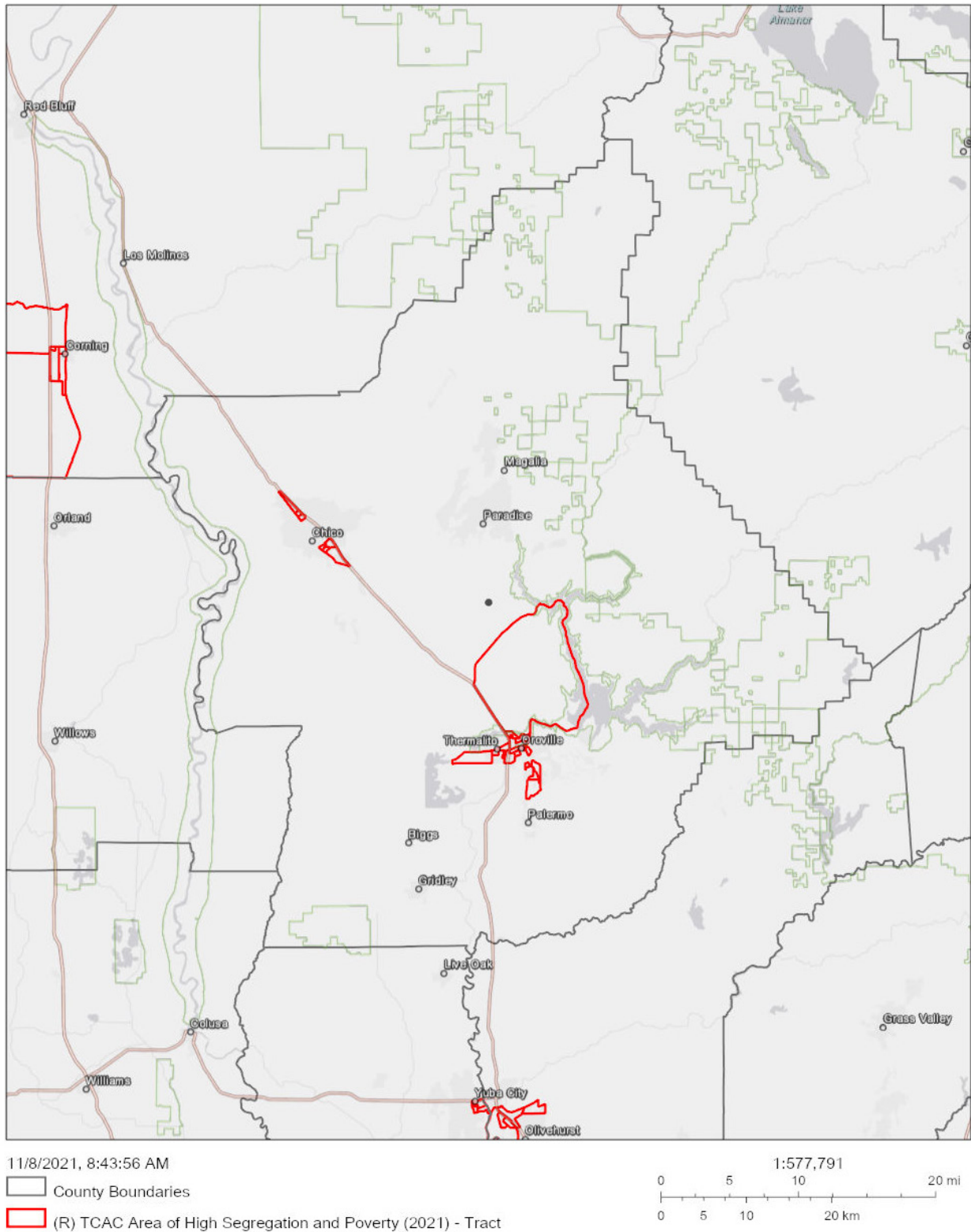
1 - R/ECAP

1:577,791

0 5 10 20 mi  
0 5 10 20 km

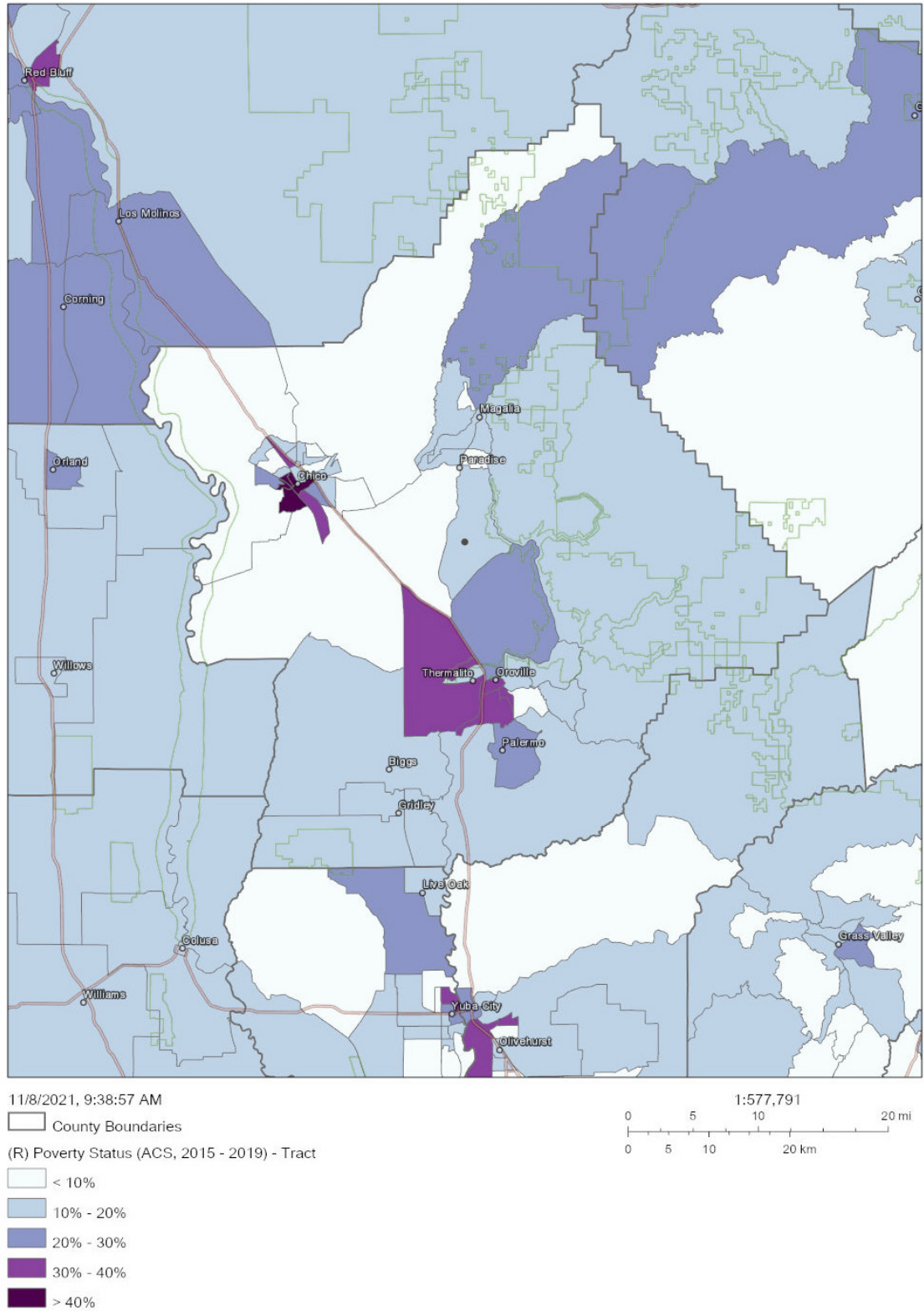
**Figure 14: Butte County, R/ECAPs Map, 2013**

Source: HCD AFFH Data Resources and Mapping Tool: 2009-2013 U.S. Department of Housing and Urban Development



**Figure 15: Butte County, TCAC Area of High Segregation and Poverty Map, 2021**

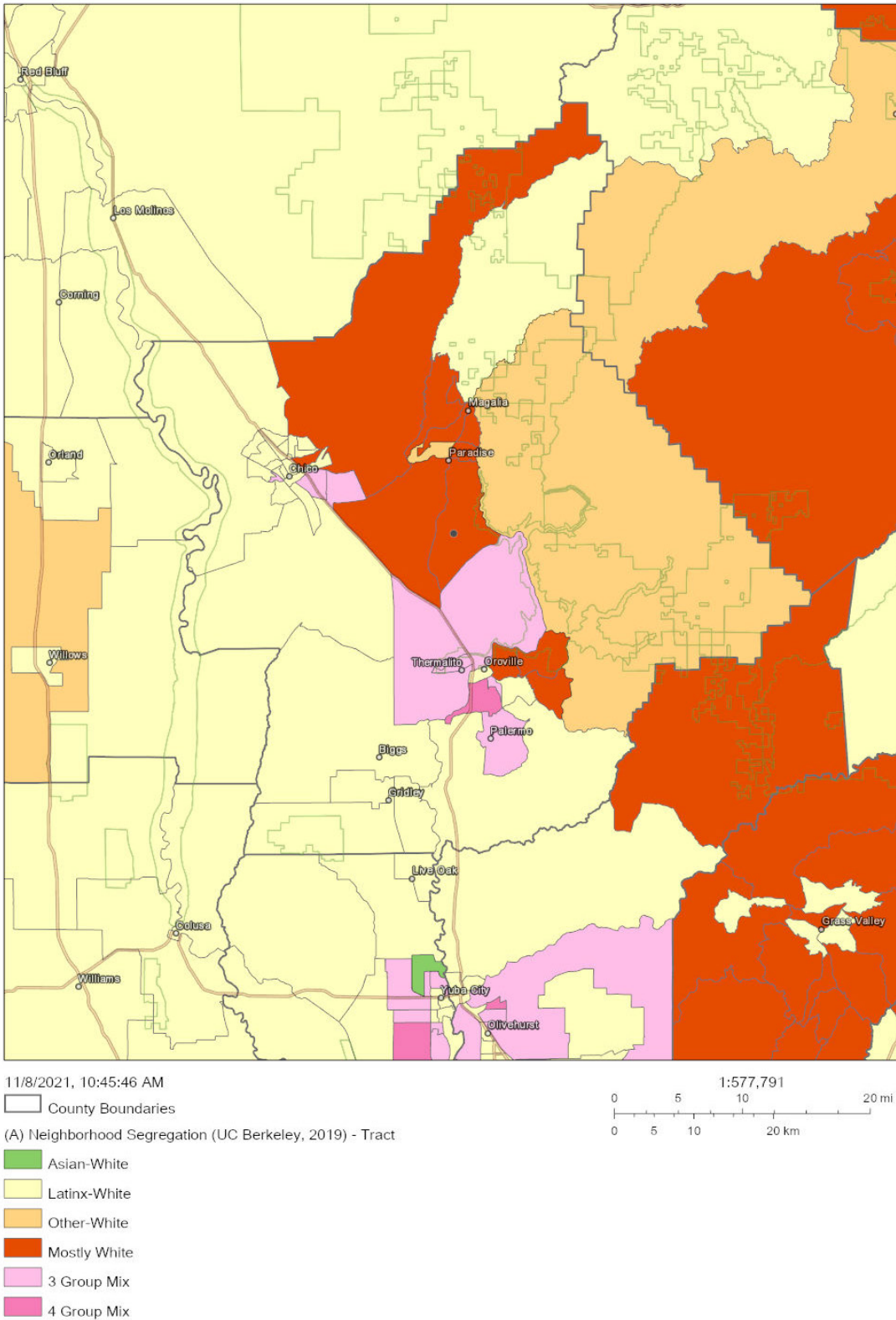
Source: HCD AFFH Data Resources and Mapping Tool: 2021 TCAC



**Figure 16: Butte County, Poverty Status Map, 2019**

Source: HCD AFFH Data Resources and Mapping Tool: 2015-2019 American Community Survey





**Figure 17: Butte County, Neighborhood Segregation Map, 2019**

Source: HCD AFFH Data Resources and Mapping Tool: UC Berkeley, 2019

## CONCLUSIONS AND SUMMARY OF ISSUES

In conclusion, while there are no HUD-defined R/ECAP areas in Butte County, the Tax Credit Allocation Committee (TCAC) identifies some areas in Chico and around the City of Oroville as areas experiencing high segregation and poverty. There are no such areas in Paradise, but some amount of poverty concentration is expected in the remaining affordable developments in the Town. There is no single neighborhood or area of town where BIPOC are concentrated.

## D. DISPARITIES IN ACCESS TO OPPORTUNITY

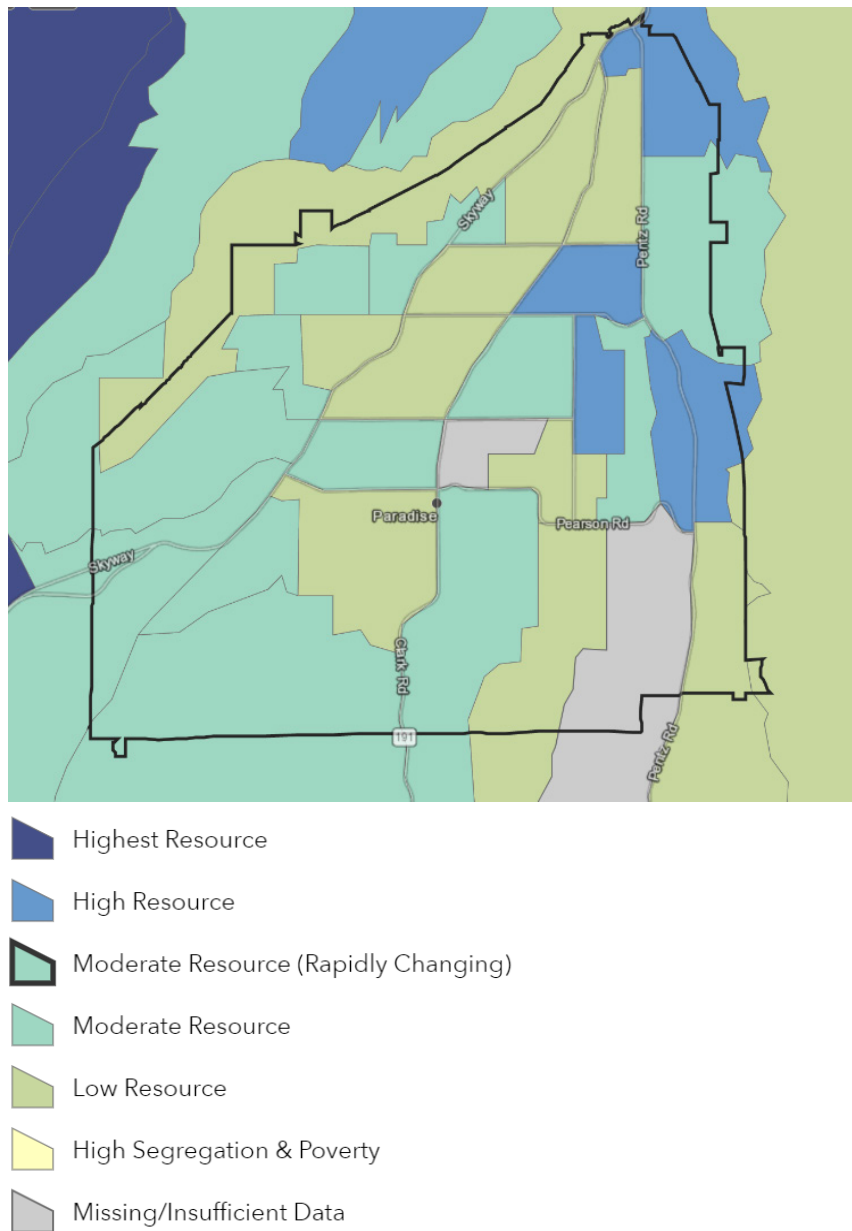
The fourth topic of the Assessment of Fair Housing is an assessment of disparities in access to opportunity in the jurisdiction. "Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to 'high resource' neighborhoods" (*California State Department of Housing and Community Development, Affirmatively Furthering Fair Housing, 2021*).

### LOCAL AND REGIONAL PATTERNS AND TRENDS

Maps, data tables, and narratives are used to analyze local and regional patterns and trends regarding access to opportunity. Measures such as economic, education, environmental scores, job proximity, commuting, and work status are considered. The California Fair Housing Task Force created an opportunity map to identify regions whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families, particularly long-term outcomes for children. The map provides composite scores for each census tract based on economic scores, education scores, and environmental scores.

According to the 2020 California Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) Opportunity Area Map shown in Figure 18, the majority of Paradise is considered moderate or low resource areas. High resource areas, which are concentrated in the northeast portion of the Town, are areas with high index scores for a variety of educational, environmental, and economic indicators. Some of the indicators identified by TCAC include high levels of employment and close proximity to jobs, access to effective educational opportunities for both children and adults, low concentration of poverty, and low levels of environmental pollutants, among others. However, this data was collected prior to the 2018 Camp Fire and does not reflect the reality of the town today.

Town staff notes that the high resource area shown on mid-lower Pentz Road on the eastern edge of the Town was because of the hospital that has since closed. The high resource areas noted along Sawmill Road west of the hospital and along upper Pentz Road are residential without employment. The high resource area shown near Wagstaff Road/Clark Road and Wagstaff Road/Pentz Road continue to have access to employment and schools today.

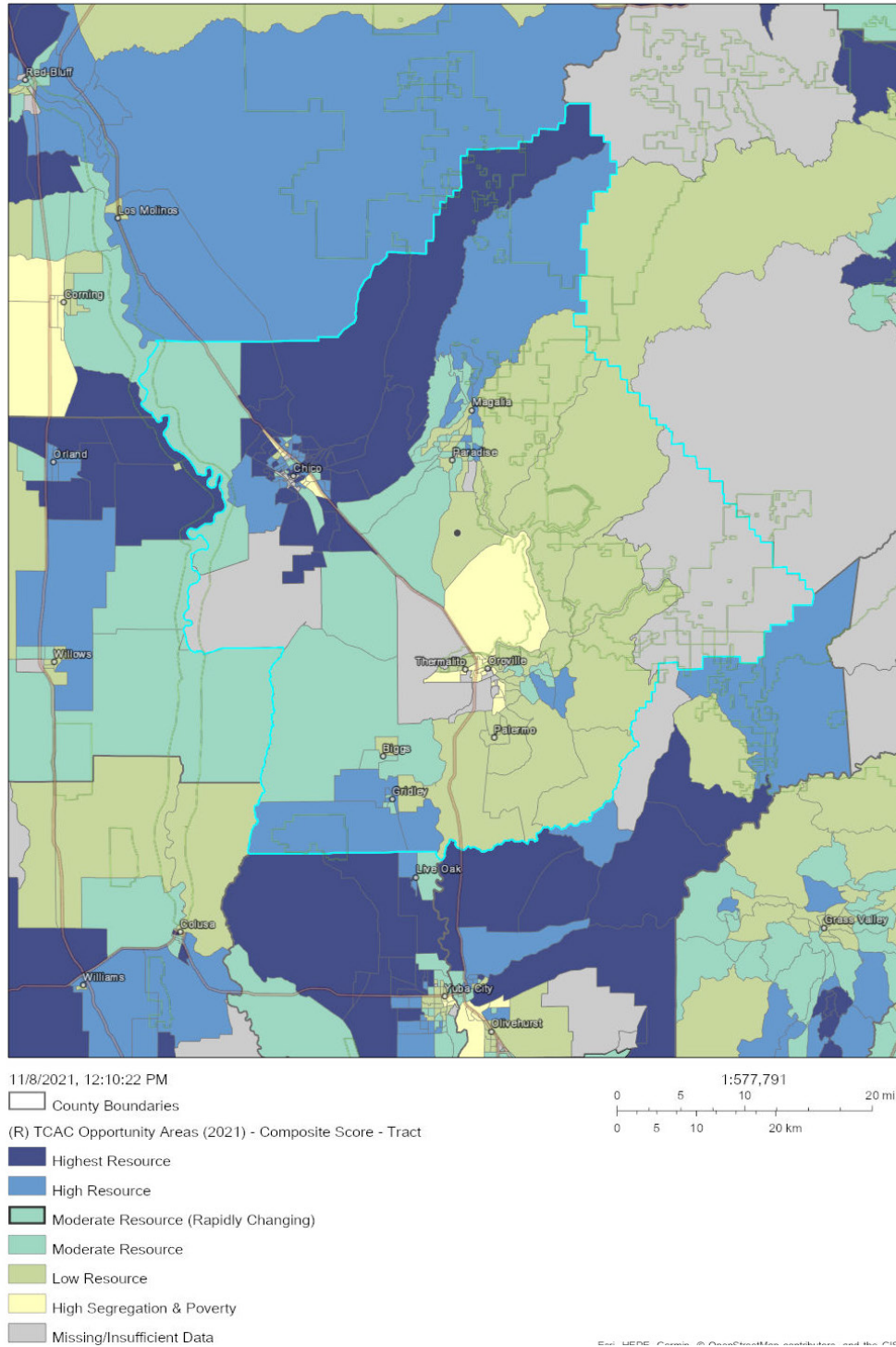


**Figure 18: Town of Paradise, TCAC Opportunity Areas – Composite Score Map, 2021**

*Notes: The data behind this figure reflects the reality of the Town of Paradise prior to the 2018 Camp Fire. More recent data is not available.*

*Source: HCD AFFH Data Resources and Mapping Tool: TCAC*

Figure 19 depicts census tract level data on access to opportunity in Butte County. Generally, north and northeast Butte County is identified as “highest resource,” west Butte County is identified as “moderate resource,” and south and southeast Butte County is identified as “low resource”. The Town of Paradise is shown with a mix of low, moderate, and high resource areas. The remoteness of Paradise from major employment centers and lack of effective transit are major factors keeping more of Paradise from being a high resource area before and after the Camp Fire.



**Figure 19: Butte County, TCAC Opportunity Areas – Composite Score Map, 2021**

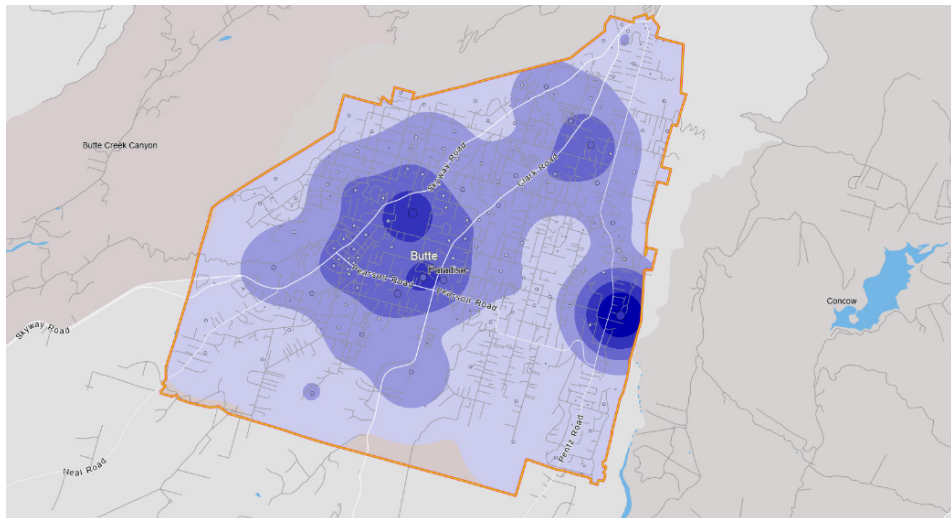
*Notes: The data behind this figure reflects the reality of Butte County prior to the 2018 Camp Fire. More recent data is not available.*

*Source: HCD AFFH Data Resources and Mapping Tool: TCAC*

## LOCAL DATA AND KNOWLEDGE

Town staff has indicated that as the Town rebuilds, there do not appear to be disparities in the types of housing being rebuilt in various areas, other than the lack of rental housing generally. The Town allows all housing types (stick built, modular, and manufactured) in all residentially zoned areas. The Town purposely does not enforce CC&Rs which can cause areas of affluence. Some areas are closer to schools or employment, but the primary issue is the lack of rental housing in general, discussed in the section on Disproportionate Housing Needs and Displacement Risk.

Prior to the 2018 Camp Fire, Paradise consistently had more residents living in Paradise and working outside of the town from 2002 to 2018 and a comparatively low amount of people employed in Paradise but living outside. Therefore, many residents of Paradise likely work elsewhere in Butte County or the surrounding area. Between 2002 and 2015, the number of jobs in Paradise increased by 17 percent, and then dropped again by 7 percent between 2015 and 2018. After the 2018 Camp Fire, many jobs, especially related to Feather River Hospital, were lost or moved elsewhere in the County due to the destruction of the fire. Census estimations from just before the 2018 Camp Fire demonstrate that the concentration of jobs in Paradise were in the east near the now-closed Feather River Hospital (see Figure 20). Feather River Hospital was previously the leading employer in Paradise. Over 1,000 part-time and full-time employees were laid off following the immediate closure. After the fire, employees were transferred to nearby clinics in Chico and Marysville or were offered a job with Adventist Medical if they were willing to relocate.<sup>3</sup>



**Figure 20: Jobs Concentration – Pre-Fire**

Source: U.S. Census Bureau On The Map Work Area Profile Analysis, 2018.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

<sup>3</sup> George, K., 2019. "Feather River hospital to close, over 1,200 employees to be laid off." The Orion, Chico CA, <https://theorion.com/78106/news/feather-river-hospital-to-close-over-1200-employees-to-be-laid-off/>.



## OTHER RELEVANT FACTORS

In 2020, the preparation of the Post Camp Fire Regional Population and Transportation Study identified the effects the 2018 Camp Fire had on transportation, economics, and demographics. This study determined that overall traffic volume (including trucks) decreased 3 percent post-fire overall in Butte County, but by 43 percent in the Town of Paradise. The largest decreases in total vehicle volume in the Town are shown occurring at Clark Rd north of Pearson Rd (-49 percent), Skyway south of Pearson Rd (-30 percent), Clark Rd north of Wagstaff Rd (-54 percent), Pearson Rd east of Clark Rd (-61 percent), and Bille Road east of Skyway (-65 percent).

From a transportation perspective, most of Butte County can be considered low density and/or rural, and this characteristic has a direct impact on transportation and mobility. There are limited options for using public transit, except within the City of Chico, and in many areas, it is physically difficult to walk or bike between destinations due to limitations in the pedestrian and bicycle network such as lack of sidewalks and bicycle lanes. Historically, most people have had to drive to get from one place to another within the county.

Respondents at pop-up events in 2019<sup>4</sup> were asked what issues kept them from walking or bicycling more frequently. The most frequent responses include:

- Issues walking outside: 34 percent missing sidewalks, 30 percent unsafe crossing/intersection, 26 percent personal safety.
- Issues biking: 37 percent no bike paths/lanes, 35 percent high car traffic speed/volume, 15 percent no place to park bike at destination.

The Town's newly adopted Transportation Master Plan (TMP) has a vision of a community "where all residents can comfortably and conveniently walk and bicycle without concerns." The TMP includes an Active Transportation Plan that calls for increased connectivity between housing and residential neighborhoods, jobs and employment centers, education facilities, and parks. Implementation of the Active Transportation Plan includes 36 miles of interconnected pathways along 12 of the Town's primary corridors. Off-street trails would connect the downtown area with the rest of town, thereby improving mobility options for residents and reducing bicycle and pedestrian conflicts with vehicles. The proposed off-street multi-use trail network would have the dual functionality of serving emergency responder vehicles during emergencies and evacuations. Implementation of the TMP will therefore facilitate greater transportation options and could increase residents' access to opportunity.

The findings of the Post Camp Fire Regional Population and Transportation Study support what one would expect following a major natural disaster. Traffic in the impacted community decreased, traffic levels were up in the primary surrounding community, and weekday activity between the impacted county and neighboring counties increased (e.g., contractors, supplies, people commuting to temporary housing and jobs). Cars were still the dominant mode of travel and will likely remain so without significant capital expenditures for increased transit service plus improvements to bicycle and pedestrian facilities.

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<sup>4</sup> According to AIM Consulting, a total of more than 80 people (combined) attended pop-up events on November 24 (Chico Christmas Preview, Chico, CA) and December 5 (Paradise Alliance Church Community Dinner, Paradise, CA).

The findings of this study also reveal that people with disabilities face unique issues with access to opportunity due to the community wide lack of sidewalks, which is due to the rural nature of the Town. The TMP pointed to specific intersections in Town in need of ADA upgrades. In addition, consistent with State and federal law, the Town requires all new multi-family buildings to comply with current ADA regulations. Therefore, the majority of multi-family developments, when built out, will have handicap accessibility.

### CONCLUSIONS AND SUMMARY OF ISSUES

In conclusion, the Town's overall access to opportunity was very affected by the 2018 Camp Fire and the subsequent closure of some of the Town's major employers. The remoteness of Paradise from major employment centers and lack of effective transit are major factors keeping more of Paradise from being a high resource area before and after the Camp Fire. There do not appear to be disparities in the types of housing being rebuilt in various areas, other than the lack of rental housing generally. Due to the rural nature of the Town, a lack of sidewalks and public transportation also cause unique challenges for persons with disabilities.

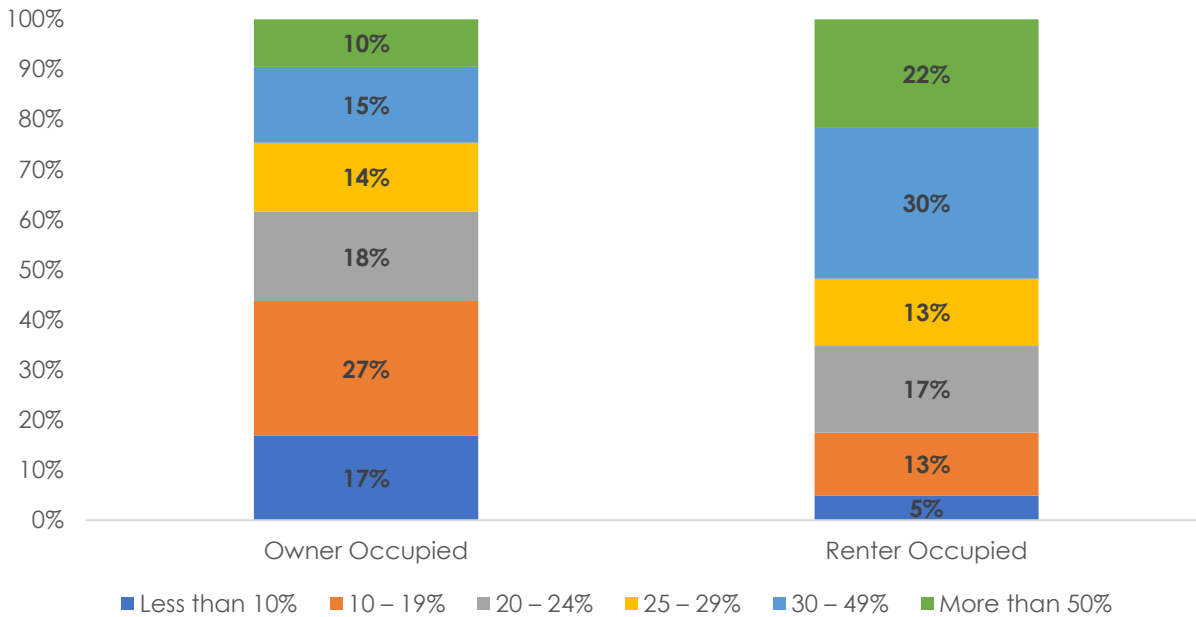
## E. DISPROPORTIONATE HOUSING NEEDS AND DISPLACEMENT RISK

The fifth and final topic of the Assessment of Fair Housing is disproportionate housing needs and displacement risk. According to HCD, "Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. For purposes of this definition, categories of housing need are based on such factors as cost burden and severe cost burden, overcrowding, homelessness, and substandard housing conditions." Displacement is used to describe any involuntary household move caused by landlord action or market changes, including disaster-driven displacement.

### LOCAL AND REGIONAL PATTERNS AND TRENDS

Maps, data tables, and narrative illustrate local and regional patterns and trends of disproportionate housing needs and displacement risk. While there is not accurate spatial data about what parts of Town experience this more than others, supplemental local knowledge is incorporated in the following section.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing over time, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Paradise, 52 percent of renters spend 30 percent to 50 percent of their income on housing compared to 25 percent of those that own (see Figure 21). Additionally, 22 percent of renters spend 50 percent or more of their income on housing, compared to 10 percent of owners who are severely cost-burdened.



**Figure 21: Cost Burden by Tenure**

*Universe: Occupied housing units*

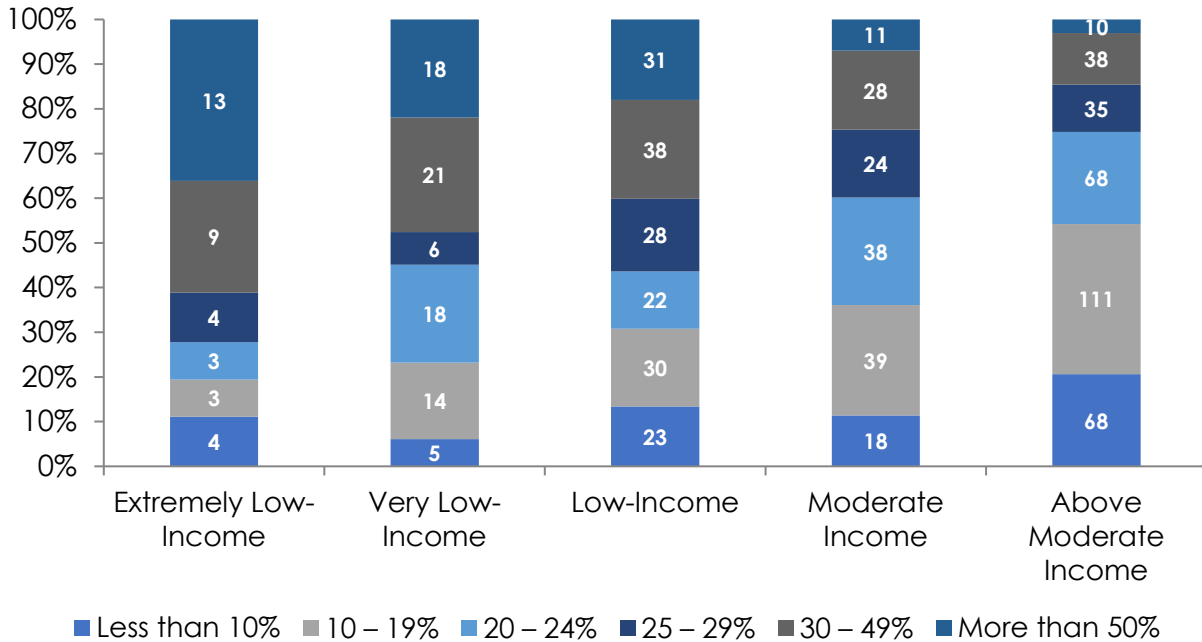
*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

In Paradise, 11 percent of households spend 50 percent or more of their income on housing, while 17 percent spend 30 percent to 50 percent. However, these rates vary greatly across income categories (see Figure 22). For example, 61 percent of Extremely Low-Income households in Paradise are cost burdened and 36 percent spend over half of their income on housing. For Paradise residents with Moderate or Above Moderate incomes, just 4 percent are severely cost-burdened, and 82 percent with Moderate or Above Moderate incomes spend less than 30 percent of their income on housing.



## APPENDIX B



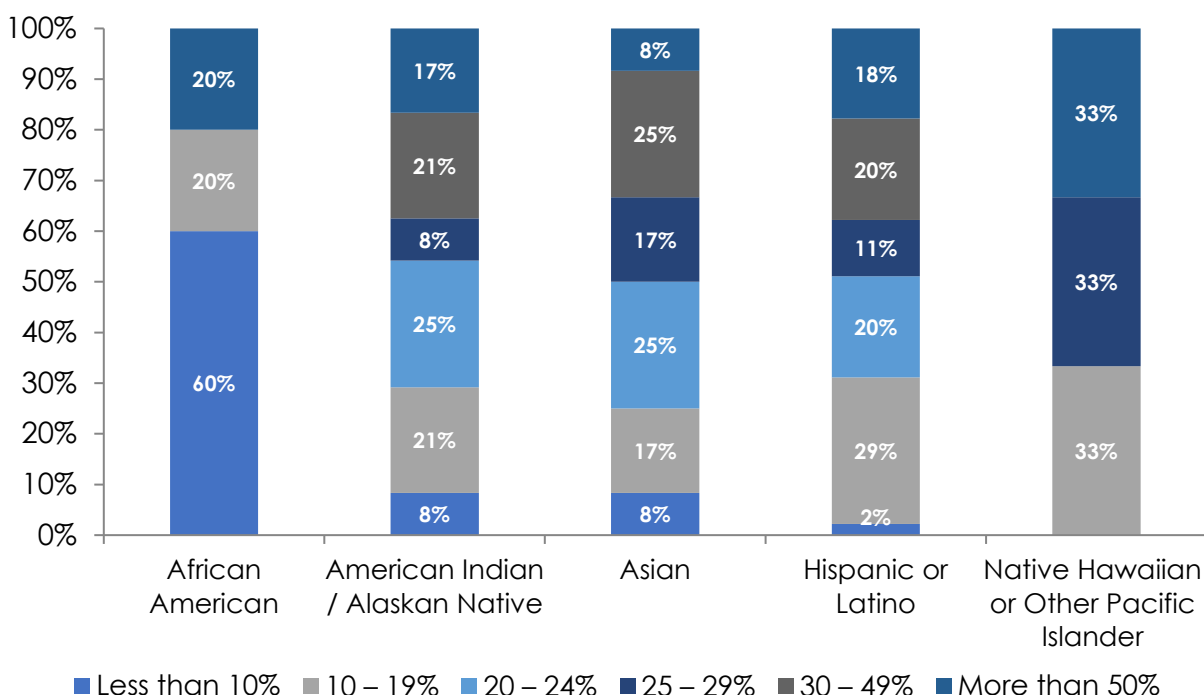
**Figure 22: Cost Burden by Income Level**

*Universe: Occupied housing units*

*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.*

*Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.*

Although the Town of Paradise Local Census Survey of 2021 has limited racial data, *Asian* respondents are the most cost burdened with 25 percent spending 30 percent to 50 percent of their income on housing, and *Native Hawaiian or Other Pacific Islander* residents are the most severely cost burdened with 33 percent spending more than 50 percent of their income on housing (see Figure 23).



**Figure 23: Cost Burden by Race**

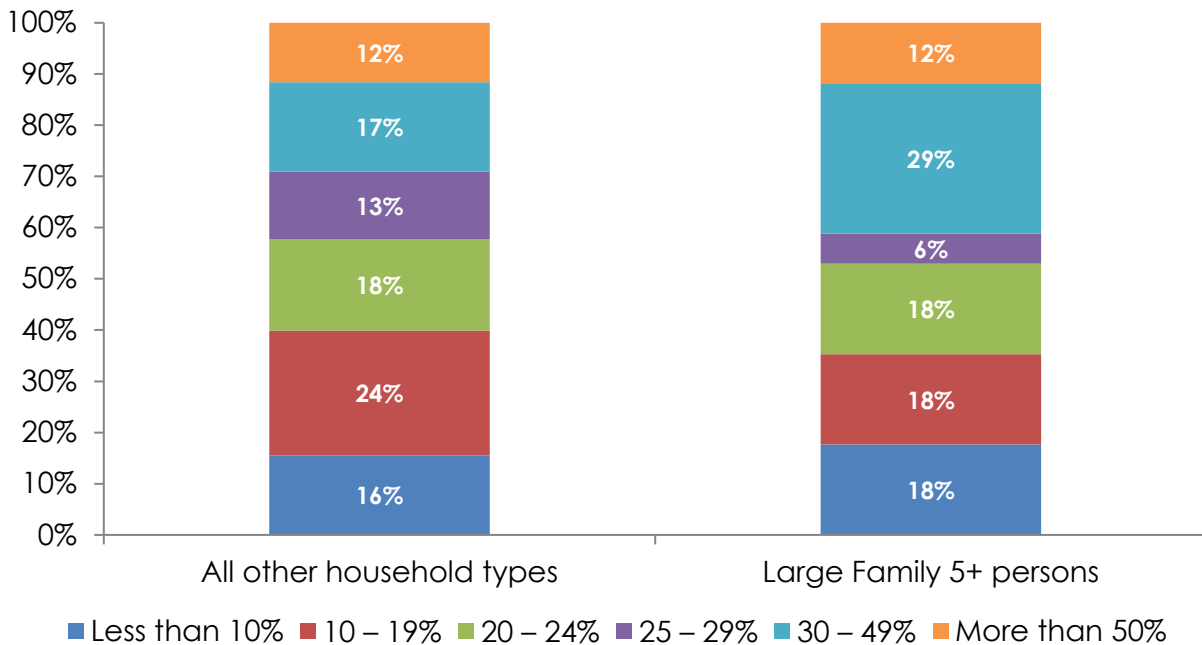
*Universe: Occupied housing units*

*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.*

*Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.*

Large family households often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity. In Paradise, 29 percent of large family households experience a cost burden of 30 percent-50 percent, while 12 percent of large households spend more than half of their income on housing. Some 17 percent of all other households have a cost burden of 30 percent-50 percent, with 12 percent of households spending more than 50 percent of their income on housing (see Figure 24).



**Figure 24: Cost Burden by Household Size**

*Universe: Occupied housing units*

*Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30 percent of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50 percent of monthly income.*

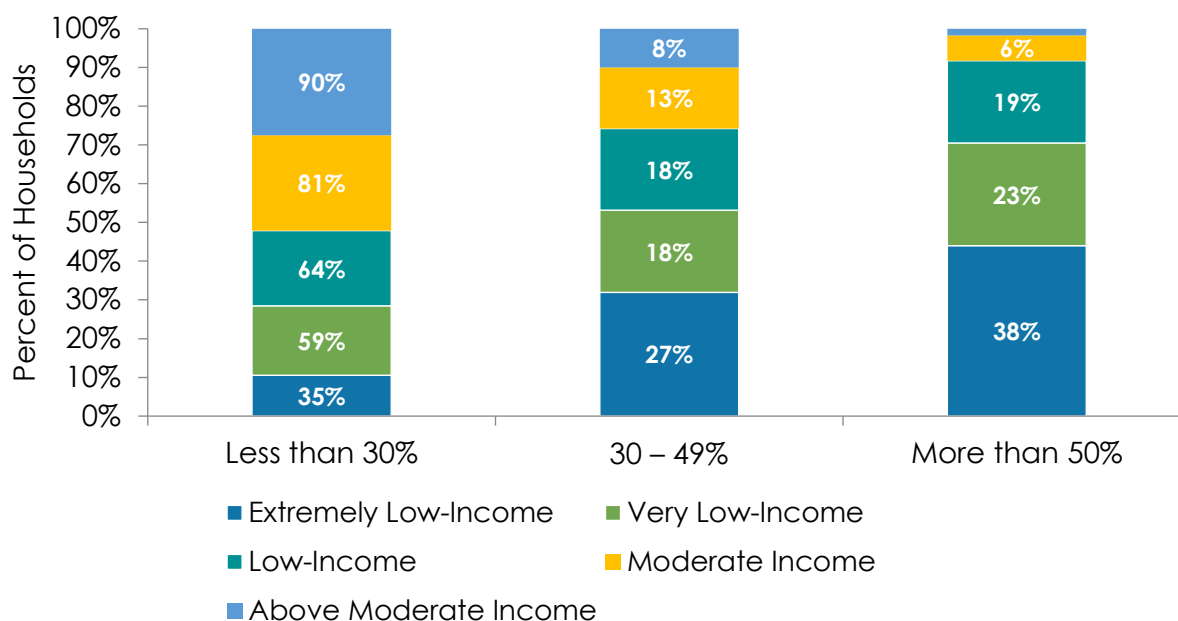
*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.*

When cost-burdened seniors are displaced from their homes, it puts further stress on the local rental market and forces long-time residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. Twenty-eight percent of extremely low- and very low-income seniors (i.e., making less than 30 percent of AMI) are spending the majority of their income on housing. For Moderate- or Above Moderate-Income seniors, the vast majority (87 percent) are not cost-burdened and spend less than 30 percent of their income on housing (see Figure 25).

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded. Unfortunately, no data on overcrowding has been collected since the 2018 Camp Fire.

Census data collected prior to the fire reveals that no renter or owner households were severely overcrowded (more than 1.5 occupants per room). However, in Paradise prior to the 2018 fire, 0.3 percent of renters experienced moderate overcrowding (1 to 1.5 occupants per room), compared to 2 percent for those own.



**Figure 25: Cost-Burdened Senior Households by Income Level**

*Universe: Senior households*

*Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income.*

*Source: U.S. Department of Housing and Urban Development (HUD), Town of Paradise Local Census Survey 2021.*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.*

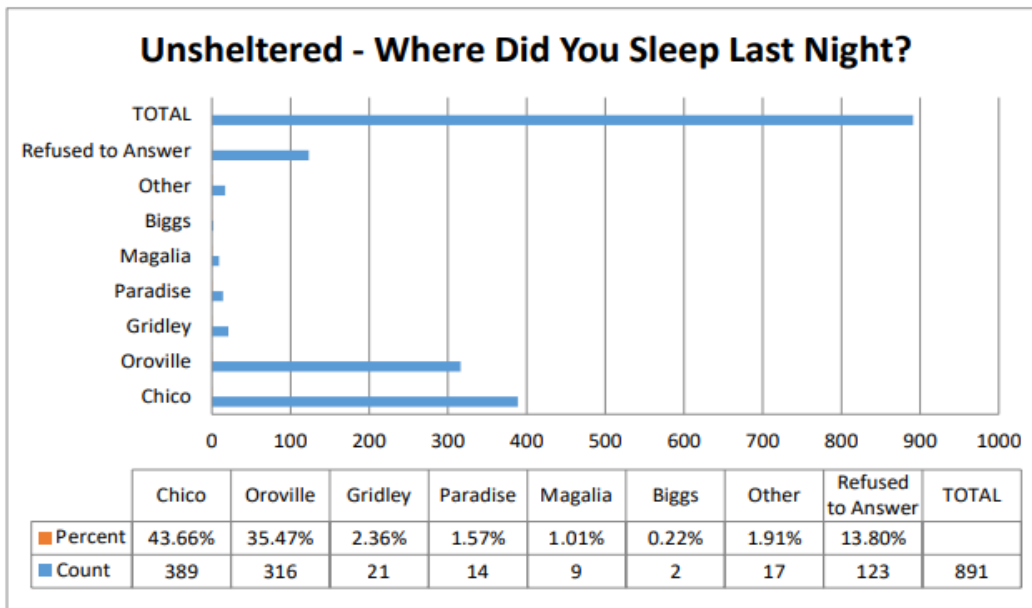
The Homeless Point in Time Survey is federally mandated by the U.S. Department of Housing and Urban Development (HUD) to survey the sheltered and unsheltered homeless population in cities and counties throughout the nation. HUD defines sheltered homeless persons as adults, children, and youth, and unaccompanied children who, on the night of the survey, are living in shelters or transitional housing for the homeless. HUD defines unsheltered homeless as those who reside in places not meant for human habitation, such as cars, parks, sidewalks, abandoned buildings, or on the street. The PIT Survey is conducted on one night and provides a snapshot of a county's visible homeless population. Historically, the PIT Survey has undercounted the total homeless population because it is not possible to contact all persons who live in alternative housing arrangements. Furthermore, it has long been known that a number of people experiencing unstable housing may live in a variety of shared housing arrangements or couch surf, and people in this situation are not counted in the PIT survey. The PIT Survey is simply a summary of those persons with whom contact was made on a designated day; it is not intended to represent a complete count of the homeless population who live in Butte County. The data presented each year through the official Annual Housing Assessment Report (AHAR) are labeled as an "estimate" of the homeless population.

The 2019 PIT Count in Butte County identified a total of 2,304 sheltered, unsheltered and FEMA housed homeless adults and children county wide (891 unsheltered, 420 sheltered, and 993 people sheltered with FEMA support), which is 16 percent higher than the count in 2017 (1,983). The significant increase in the 2019 PIT Count can be attributed to: Camp Fire related homeless in FEMA provided housing (temporary), increased survey efficiency through use of a mobile web-based technology instead of

## APPENDIX B

paper surveys, implementation of revised survey questions to follow HUD guidelines (e.g., chronic homeless, domestic violence), planned targeting of encampment sites, and broad participation from the community.

The 2019 PIT Survey identified 1,551 homeless households countywide. Of these, 201 households resided in Emergency Shelter, 65 in Transitional Housing, 397 in FEMA housing, and 888 were unsheltered. Despite these efforts to improve the accuracy of the survey, the actual number of homeless individuals is estimated to be higher than PIT Survey results due to ongoing challenges in locating homeless individuals, especially those who are displaced and unhoused due to the Camp Fire. Of the 891 unsheltered individuals, 2 percent had slept in the Town of Paradise the night prior to the count (see Figure 26).



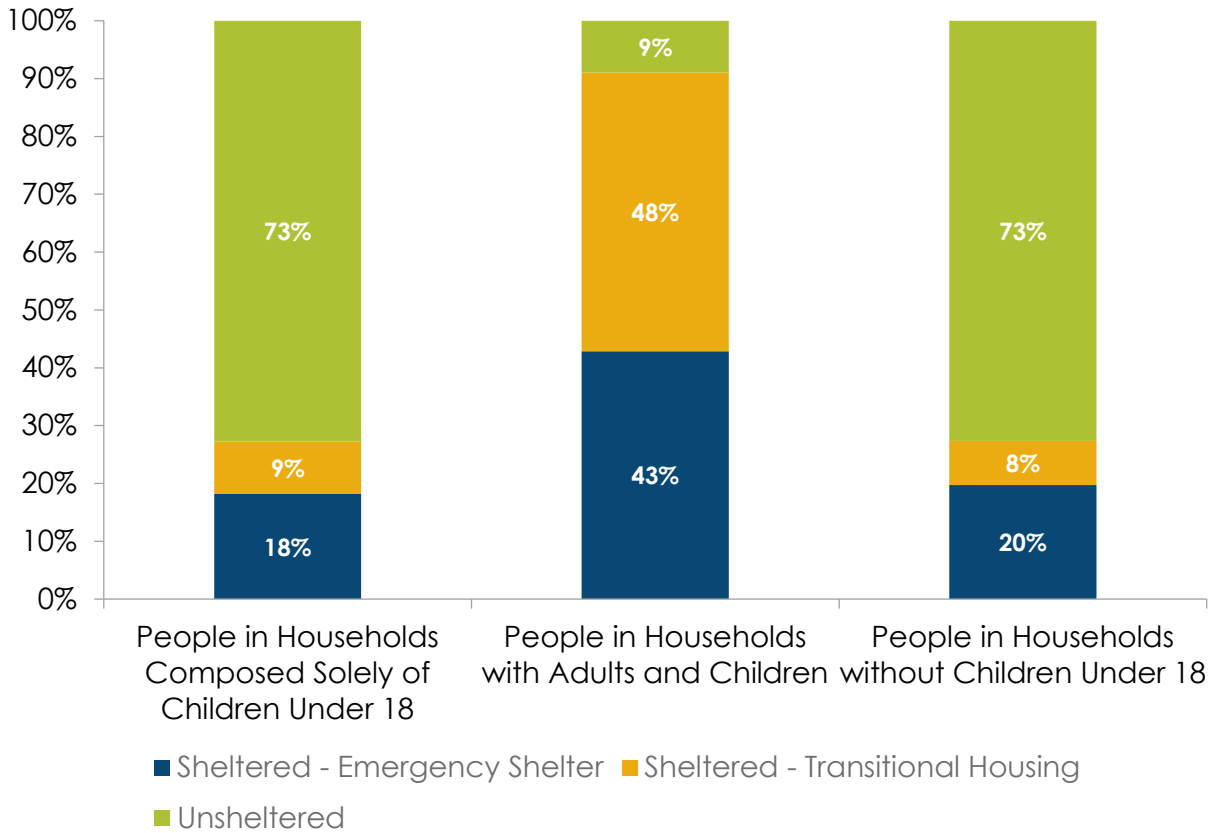
**Figure 26: Unsheltered Point-in-Time (PIT) Count in Butte County**

*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January.*

*Source: Butte Countywide Homeless Continuum of Care.*

In Butte County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 73 percent are unsheltered. Of homeless households with children, most are sheltered in transitional housing or emergency shelter (see Figure 27).



**Figure 27: Homelessness by Household Type and Shelter Status, Chico, Paradise/Butte County**

*Universe: Population experiencing homelessness*

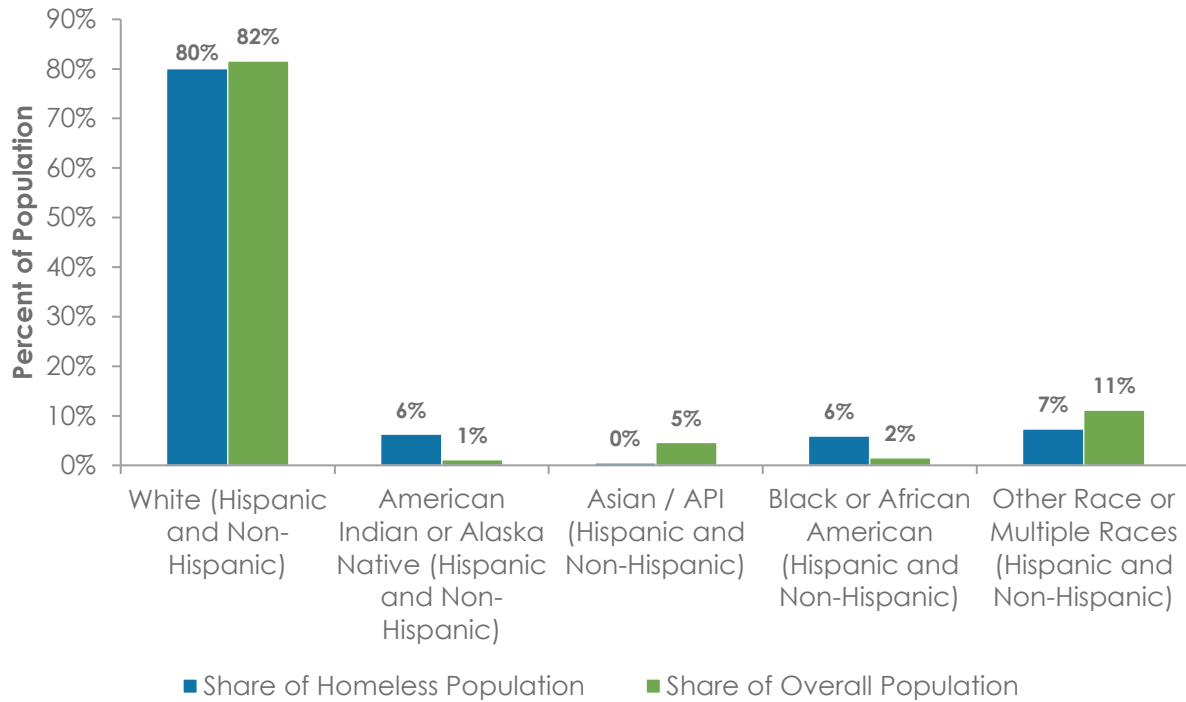
*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019).*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-01.*

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness. In Butte County, American Indian or Alaska Native (Hispanic and Non-Hispanic) make up 6 percent of the homeless population, while making up only 1 percent of the overall population. Similarly, Black or African American (Hispanic or Non-Hispanic) residents make up 6 percent of the homeless population, while making up only 2 percent of the overall population (see Figure 28).

## APPENDIX B



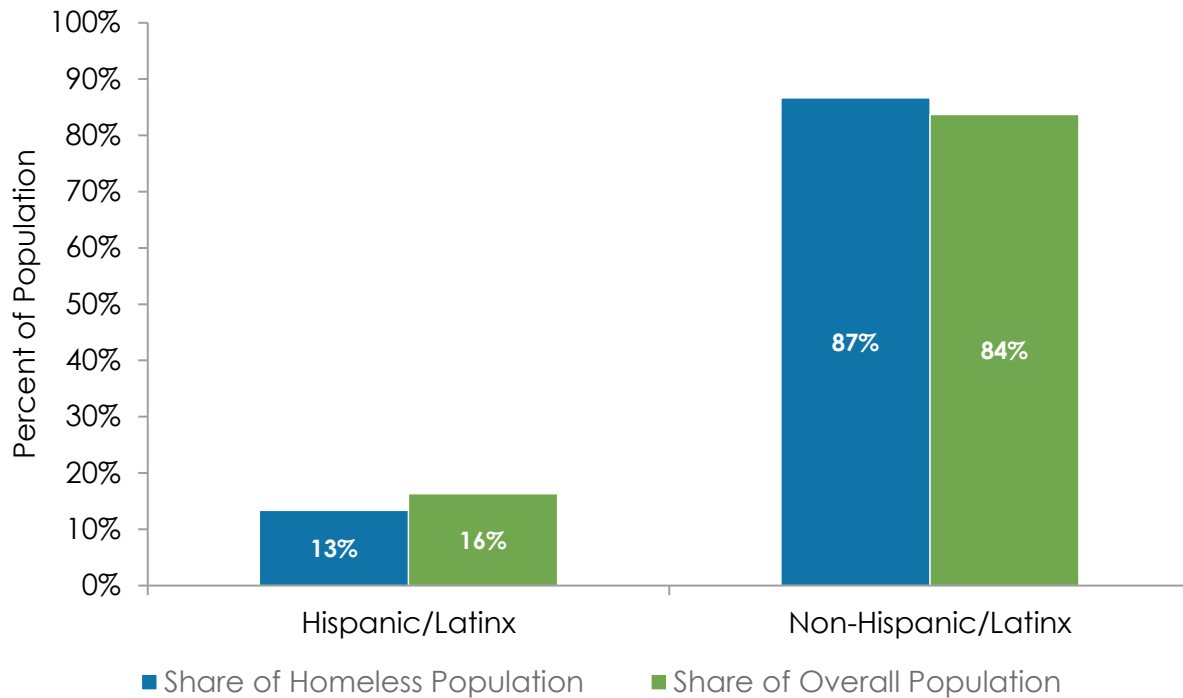
**Figure 28: Racial Group Share of General and Homeless Populations, Butte County**

*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.*

In Butte County, Latinx residents represent 13 percent of the population experiencing homelessness, while Latinx residents comprise 16 percent of the general population (see Figure 29).



**Figure 29: Latinx Share of General and Homeless Populations, Butte County**

*Universe: Population experiencing homelessness*

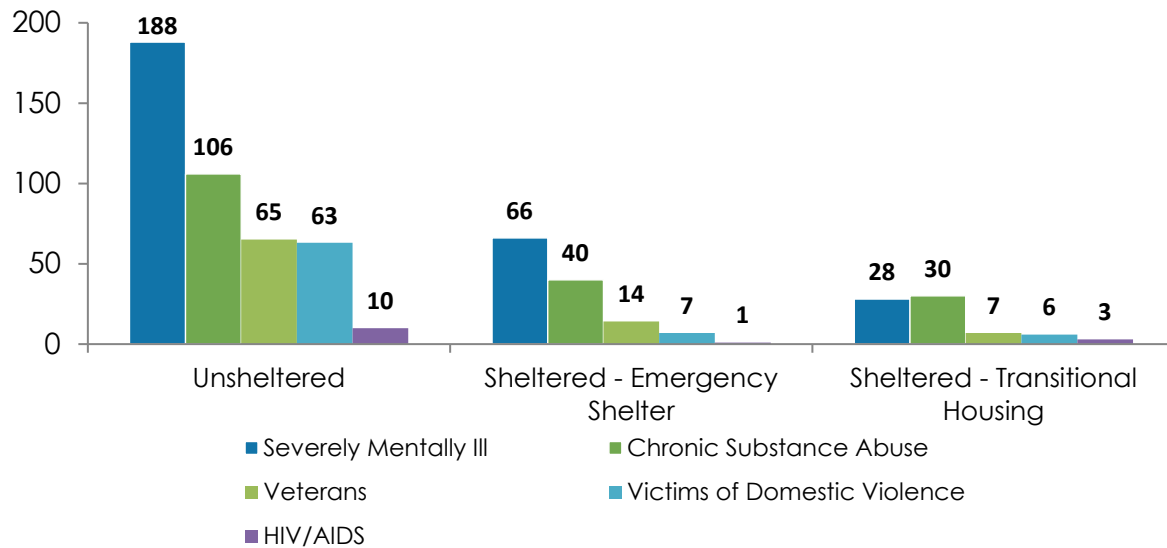
*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.*

*Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I). For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.*

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Butte County, homeless individuals are commonly challenged by severe mental illness, with 282 reporting this condition (see Figure 30). Of those, some 67 percent are unsheltered, further adding to the challenge of handling the issue.



## APPENDIX B



**Figure 30: Characteristics for the Population Experiencing Homelessness, Butte County**

Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019).

For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMEELS-04.

In Paradise, there were 353 reported students experiencing homelessness in the 2019-20 school year, a 110 percent increase from 2017-18 before the fire (see Table 3). By comparison, Butte County has seen a 50 percent increase in the population of students experiencing homelessness in the same time frame, adding undue burdens on learning and thriving, with the potential for longer term negative effects. As defined by the Department of Education, students are experiencing homelessness if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship.

**TABLE 3: STUDENTS IN LOCAL PUBLIC SCHOOLS EXPERIENCING HOMELESSNESS**

| Academic Year | Town of Paradise | Butte County |
|---------------|------------------|--------------|
| 2016-17       | 142              | 799          |
| 2017-18       | 168              | 882          |
| 2018-19       | 10               | 738          |
| 2019-20       | 353              | 1,314        |

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020).

This table is included in the Data Packet Workbook as Table HOMEELS-05.

Finally, an analysis of mobile home park locations can help to identify disproportionate housing needs including displacement risk. According to HCD, people residing in mobile homes, residential trailers, or recreational vehicles (RVs) are the most vulnerable residential population to natural disasters including flooding. Emergency preparedness, response, and evacuation therefore calls for an inventory of mobile home park locations. Figure 31 shows locations that represent mobile home, residential trailer, and recreational vehicle (RV) parks in Butte County. Mobile home parks are generally concentrated in the communities of Chico, Paradise/Magalia, and Oroville/Thermalito/Palermo, with some mobile home parks located in less populated areas of the county. This map shows data from 2018 which is also the year of the 2018 Camp Fire in eastern Butte County. Many of the mobile home parks located in Paradise and Magalia were destroyed or damaged in the fire, with residents displaced to other housing units or communities according to the *Homeland Infrastructure Foundation Level Data database*.

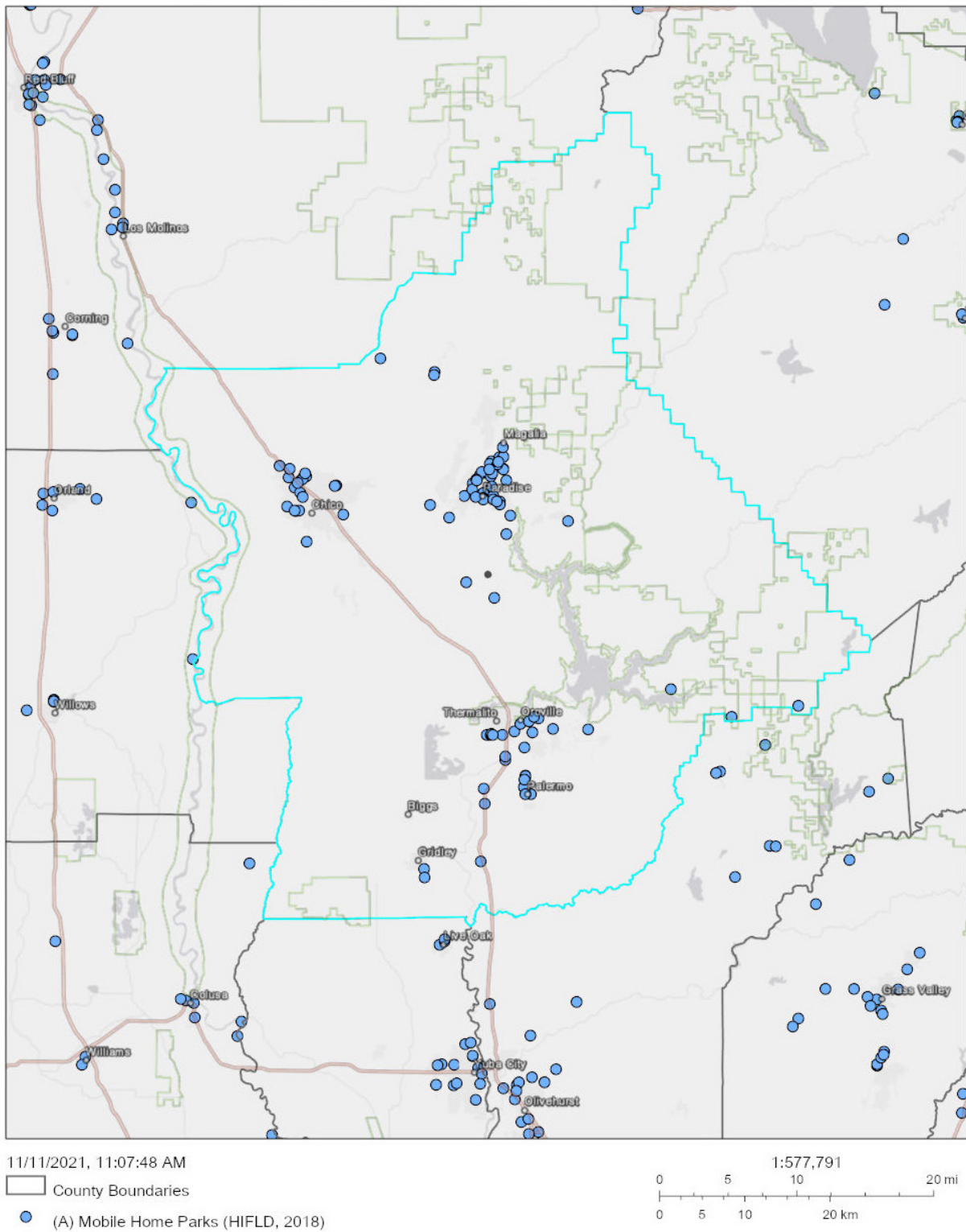
## LOCAL DATA AND KNOWLEDGE

Local data and knowledge from a variety of sources centers on the impacts of the 2018 Camp Fire on disproportionate housing needs and displacement risk in the Town of Paradise.

Prior to the 2018 Camp Fire, Paradise had more women, seniors, disabled and veterans than any other local jurisdiction, as well as the State or Country as a whole. In 2010, Paradise was home to approximately 13,765 women (52.5 percent of the population), 6,580 seniors (25.1 percent), 4,615 disabled persons (17.6 percent), and 2,600 veterans (9.9 percent). These populations represent protected classes under federal anti-discrimination law and are considered to be more vulnerable.

Perhaps due to the larger number of elderly and disabled, at this time the overall labor force as a percent of population (49.9 percent) was notably lower than that of the County (55.6 percent), the State (63.1 percent) or nation (63.3 percent). However, the Town did have the highest median household income (\$44,923) in the County, above Chico (\$42,342) and the County as a whole (\$43,444) but considerably lower than the State (\$61,818) and US (\$53,889). Interestingly, the per capita income (\$25,427), also the highest in the County, was closer to that of the State (\$30,318) and US (\$28,930). Although in 2010 the Town had the lowest percent of persons living in poverty (16.0 percent) within the County, that percent was still higher than that of the State (15.3 percent) and US (13.5 percent) at the time.

Through discussions and through relying on alternative data collected by Next 10 and UC Berkeley's Center for Community Innovation, it was revealed that seniors, low-income households, and renters were disproportionately affected and displaced by the Camp Fire, and that many people are eager to come back to Paradise and miss their home. This sentiment was expressed especially through interviews with CVI, a non-profit organization dedicated to providing residential and vocational support to developmentally disabled adults. CVI representatives shared that they often hear "I want to go back home." However, there are few units to come back to after the fire's destruction. CVI clients do not understand this. In addition to the lack of housing, the presence of services, especially medical services, is one issue impacting if or when past residents with a developmental disability may return.



**Figure 31: Butte County, Mobile Home Parks Map, 2018**

Source: HCD AFFH Data Resources and Mapping Tool: 2018 Homeland Infrastructure Foundation Level Data database

As discussed in the Paradise Safety Element, Paradise is at very high risk for future wildfire. Research has shown that renters, and especially low-income renters, are often disproportionately exposed to environmental hazards and housing tenure is a decisive factor in a society's vulnerability to disaster.<sup>5</sup> Housing tenure is such an important factor in disaster recovery because renters do not control the housing units in which they live. According to HCD, "renters bear the brunt of the existing affordable housing shortage, and their adaptive capacity to cope and recover from the impacts of environmental hazards may be reduced due to systemic inequities and limited resources." Renters are more likely to be displaced post-disaster because they do not determine if or when their housing unit will be rebuilt, there are fewer financial resources to rebuild rental housing than for homeowners, and renters are more likely to live in multi-family buildings that can take longer to rebuild post-disaster than a single-family home. Furthermore, renters do not control vegetation management and other fire risk reduction measures, or the ability to add resilience investments on the property where they live. Finally, rental prices increase as rental housing supply decrease.

Indeed, nearly all rental housing was destroyed in the fire. According to data from Urban Footprint, approximately 75 percent of parcels developed with multi-family housing and approximately 88 percent of all multi-family dwelling units were destroyed in the fire. The destruction included some of the Town's only deed-restricted affordable housing projects. One affordable project, Paradise Gardens III, is prioritized to be rebuilt and is expected to be completed in the next few years and another, Paradise Community Village, is actively under reconstruction. The Cypress Acres Convalescent Hospital, however, is the third project in the town with federal assistance that was destroyed, and it is not anticipated to rebuild. The Town has issued a certificate of occupancy for 242 units in multi-family buildings since the Camp Fire, all of which are rental housing units.<sup>6</sup> These 242 units represent approximately 32 percent of the approximately 750 multi-family units lost in the fire, according to data from Urban Footprint.

In addition to the availability of housing that is affordable, the lower incomes of the residents of Paradise (\$49,270), when compared to the average Californian (\$71,228), have implications regarding where those displaced by the Camp Fire will be able to relocate.<sup>7</sup> If the cost of rebuilding is too high, former Paradise residents may permanently move out of the state in search of cheaper housing options.

Whereas much of California faces displacement due to increasing housing prices, the situation in Paradise is unique because displacement took on a new meaning after the 2018 Camp Fire when most residents lost a home, place of work, and/or the same sense of community with such a large population loss. When individuals or families are forced to leave their homes and communities, they also lose their support network. Displacement has the most severe impacts on low- and moderate-income residents who had less savings to fall back on during the crisis. A report written by Next 10 and UC Berkeley's Center for Community Innovation, *Rebuilding for a Resilient Recovery: Planning in California's Wildland*

<sup>5</sup> Lee & Van Zandt, 2018. *Social Vulnerability to Disasters: A Review of the Evidence*.

<sup>6</sup> Hartman, Susan, Community Development Director, Town of Paradise. 2021. Personal communication with Urban Planning Partners. October 26. Updated based on permit counts as of December 29, 2021.

<sup>7</sup> Perry, Noel et al., 2021. "Rebuilding for a Resilient Recovery: Planning in California's Wildland Urban Interface." *Next10 and Center for Community Innovation. UC Berkeley*. Retrieved from: <https://www.next10.org/sites/default/files/2021-06/Next10-Rebuilding-Resilient.pdf>.

## APPENDIX B

Urban Interface, included Paradise as a case study and revealed important information on who was most affected by the fire:

- Before the fire, Paradise had a large population of retirees — 35 percent of residents were over 60 years old, and 7 percent were over 80 years old. Nearly 85 percent of those who perished in the fire.
- The Camp Fire displaced 13,314 households, and of those, 43 percent (5,679 households) had moved to a new census tract by 2019. Of those who moved census tracts, 38 percent (2,148 households) were senior-led households. Low-income households represented 41 percent of households that relocated, compared to 50 percent of households that stayed, indicating that lower-income households were less likely to move.
- While 34 percent of all households affected by the 2018 Camp Fire were renters, 40 percent of households that moved were renters. The average household income of households that moved was \$54,153, higher than \$49,974 for the households that did not move.

The report also revealed that most of those displaced from Paradise lived in their homes for generations and were more likely to live in a single-family home and own their home than else in California. Before the Camp Fire, approximately 70 percent of residents owned their homes, higher than the 55 percent homeownership rate statewide. The median home value of \$218,400 was nearly half the average home value in California, which is \$475,900. The lower incomes of the residents of Paradise (\$49,270), when compared to the average Californian (\$71,228) imply that many lived in Paradise due to the relatively lower housing costs, and with the high levels of destruction, low-income families may choose to permanently move out of the state in search of cheaper housing options elsewhere. These findings suggest that lower-income residents may not have the resources to relocate as easily as their higher-income peers, especially lower-income homeowners. Renters, seniors, and low-income households are special populations to consider when designing policies and programs to address displacement.

### OTHER RELEVANT FACTORS

Butte County Department of Employment and Social Services (Butte County DESS) administers employment and social services to Butte County residents. Butte County DESS provided its “Camp Fire Relief Grant Final Report, January 2019 through July 2021” for use in the City of Chico’s Housing Element on October 5, 2021 via email correspondence to the City, which is included in the Town of Paradise’s Housing Element as well due to its relevance. In January 2019, North Valley Community Foundation provided a one-million-dollar grant to Butte County DESS to assist 2018 Camp Fire survivors with housing, mental health, and replacing belongings. Table 4 depicts the dollar amount of assistance provided to Camp Fire survivors by assistance type. Vehicles and RVs, home repairs/rebuilds, rent and mortgage, and vehicle items/RV repair were the assistance types with the largest amount of assistance provided in dollars. These findings illustrate that both temporary and permanent housing was a significant need following the Camp Fire.

**TABLE 4: BUTTE COUNTY DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES, FINANCIAL ASSISTANCE PROVIDED TO CAMP FIRE SURVIVORS TABLE, JANUARY 2019 TO JULY 2021**

| <b>Assistance Type</b>  | <b>Total Assistance Provided<br/>(in Dollars)</b> |
|-------------------------|---|
| Vehicles and RVs        | \$289,978   |
| Home Repairs/Rebuilds   | \$214,806   |
| Rent and Mortgage       | \$170,031   |
| Vehicle Items/RV Repair | \$165,540   |
| Property Replacement    | \$69,747  |
| Shelter                 | \$55,166  |
| Utilities               | \$12,703  |
| Deliveries              | \$11,716  |
| Miscellaneous           | \$10,192  |
| <b>Total</b>            | <b>\$999,968.70</b>                               |

Source: Butte County Department of Employment and Social Services, Camp Fire Relief Grant Final Report, January 2019 to July 2021.

Butte-Glenn 211 is an information and referral non-profit agency serving Butte and Glenn counties by connecting people in need with services that offer help. Table 5 depicts information on the number of Camp Fire contacts and referred services in Butte-Glenn 211's database system. From the time period of November 1, 2018 to October 31, 2021, the number of referred services to Camp Fire contacts who contacted Butte-Glenn 211 by phone from Butte County was 27,134. The total number of Camp Fire contacts to Butte-Glenn 211 originating from Butte County was 23,832 and the total number of Camp Fire contacts from all counties and states was 34,892 (Butte-Glenn 211, November 2021 Email Correspondence). This data illustrates the magnitude of the impact of the Camp Fire on Butte County residents. Over 30,000 people contacted Butte-Glenn 211 for assistance during and after the Camp Fire, and Butte-Glenn 211 referred over 25,000 services to Camp Fire phone callers contacts from Butte County.

**TABLE 5: BUTTE-GLENN 211, CAMP FIRE CONTACTS AND REFERRED SERVICES DATA TABLE, NOVEMBER 2018 TO OCTOBER 2021**

| <b>Time Period</b>                   | <b>Number of<br/>Referred Services<br/>to Camp Fire<br/>Phone Caller<br/>Contacts<br/>Originating from<br/>Butte County</b> | <b>Total Number of<br/>Camp Fire<br/>Contacts<br/>Originating from<br/>Butte County</b> | <b>Total Number of<br/>Camp Fire<br/>Contacts to 211<br/>(all<br/>counties/states)</b> |
|--------------------------------------|---|---|--|
| November 1, 2018 to October 31, 2021 | 27,134  | 23,832  | 34,892   |

Source: Butte-Glenn 211, City of Chico's Housing Element.



### 3 CONCLUSIONS AND SUMMARY OF ISSUES

In conclusion, the Town is paying close attention to any disparities by race, income, and other characteristics throughout the rebuild process. The Town is aware that renters, large families, and low-income households are experiencing more cost burden in their monthly housing costs, and that while there are not very many people of color living in the Town currently, Asian and Native Hawaiian or Other Pacific Islanders also appear to be facing higher degrees of cost burden. Helping people who have experienced displacement and homelessness, especially due to the Camp Fire, also remain a top priority for the Town. In Paradise, displacement took on a new meaning after the 2018 Camp Fire when most residents lost a home, place of work, and/or the same sense of community with such a large population loss. The large percentage of women, seniors, disabled persons, and veterans in the town prior to the Camp Fire has meant that these populations struggled disproportionately and will continue to need extra assistance throughout the rebuild process.

## F. FAIR HOUSING ACTION PLAN

Due to all the forces and findings described above, it is important that the Town of Paradise prioritize rebuilding rental housing and providing financial assistance for renters to return to the community and to facilitate integrated living patterns as old residents return and new residents arrive. The Town has several ongoing or upcoming planning efforts that present an opportunity to AFFH, including the sewer project, mastered ADU plans, SB 2 projects, the long-term community recovery plan, transportation master plan, and forthcoming General Plan update.

Chapter 6: Housing Element Goals, Policies and Programs describes the Town's goals and efforts to rebuild, conserve existing stock and affordability, and provide adequate housing for all persons. This 2022-2030's Housing Element goals, in tandem with the Safety Element, work to affirmatively further fair housing in Paradise. Specifically, the policies listed below seek to foster an inclusive community, further housing choice, and address racial and economic disparities by increasing the availability and diversity of housing, prioritizing multi-family housing in areas near services, enforcing fair housing laws, and establishing programs to house special needs groups (e.g., seniors, individuals with disabilities, large families, the unhoused).

- HP-1. The Town will encourage a full range of housing types, including both lower- and higher-density housing, at rents and sales prices suitable for a range of household incomes, including extremely low, very low, low, and moderate.
- HP-2. The General Plan will identify lands most suitable for multi-family development and safeguard this type of use on these sites.
- HP-6. The Town will encourage the production and availability of new affordable housing through a variety of measures including the density bonus program and second unit development, providing incentives such as expedited processing, relaxed zoning restrictions where appropriate, support for funding applications, and Community Development Block Grant (CDBG) funds when available.
- HP-8. The Town will encourage providers to give priority to the very low- and low-income housing developments pursuant to Government Code Section 65589.7. The Town will also provide a copy of the 2022–2030 Housing Element to local water providers upon its adoption. Should a public sewer system, such as an off-site clustered system or alternative wastewater treatment system, be

developed and made available, the Town will provide its operator with a copy of the Housing Element and encourage the operator to give priority to very low- and low-income housing developments pursuant to Government Code Section 65589.7.

- HP-9. The Town will pursue county, State, and federal programs and funding sources that provide housing opportunities for low- and moderate-income households.
- HP-10. In accordance with applicable federal and State laws, the Town will promote equal housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color.
- HP-12. The Town will pursue the development of tiny home villages to be used as affordable housing.
- HP-15. The Town will design and implement housing programs that maximize access to the market, such as housing rehabilitation, including replacement housing, and down payment assistance for first-time homebuyers.
- HP-17. New housing and rehabilitated housing will be constructed in accordance with design standards and Town-adopted Building Code requirements that will ensure the safety and integrity of each housing unit.
- HP-18. The Town will continue to provide a revolving loan fund for housing rehabilitation and down payment assistance programs.
- HP-19. The Town will support the continuance and expansion of the Housing Authority's rental assistance program.
- HP-20. The Town will regulate conversion of housing stock that, by its nature, is affordable to residents of modest means, such as apartments and mobile homes, to either market-rate, for-sale, or nonresidential uses, by requiring such conversions to provide a housing relocation plan and replacement assistance to residents who would be displaced by the conversion and by requiring that the Town make a finding of clear public benefit.
- HP-23. The Town will consider increased building and landscaping requirements for fire resiliency and add supportive programs to assist households with vegetation management. The Town will consider providing grants or no-interest loans to low-income households for home hardening to ensure the most vulnerable households are not left behind.
- HP-28. The Town will support post-disaster funding for multi-family and affordable housing development.
- HP-29. The Town will continue to encourage the development and expansion of housing opportunities for the elderly and the disabled through techniques such as smaller unit sizes, a reduction in parking space requirements, common dining facilities, and fewer but adequate amenities.
- HP-30. The Town will encourage development of suitable sites with rest homes and care facilities for the elderly and the disabled and developmentally disabled and will encourage senior citizen housing in the Central Commercial area of Paradise.



- HP-31. The Town will facilitate housing opportunities for the homeless by accommodating transitional and supportive housing and allowing emergency, transitional, and supportive housing consistent with state law.
- HP-32. The Town will encourage development housing types and programs for senior citizens, the disabled, developmentally disabled, large families, and other groups identified as having special housing needs.
- HP-33. The Town will continue to require the first floors of multi-family developments to accommodate access and use by the elderly and the disabled
- HP-34. The Town will continue to assess the Zoning Ordinance, Municipal Code, and Town procedures for constraints and address changes in state law, particularly regarding housing for special needs groups, including seniors, the disabled, developmentally disabled, large families, farmworkers, and the homeless.

In addition to the policies above, the Town of Paradise will take the meaningful actions found in Table 6.

TABLE 6: FAIR HOUSING ACTION PLAN

| Actions   | Fair Housing Issues   | Contributing Factors  | Implementation  |
|---|---|---|---|
| <b>Action Area 1. Enhancing housing mobility strategies</b>   |   |   |   |
| <b>Action 1.1:</b> Incentivize the creation of ADUs to provide housing that is affordable in higher opportunity areas. If being used as a rental, persons using the Town's mastered ADU plans would be required to affirmatively market their ADU to populations with disproportionate housing needs, including persons with disabilities and female-headed households. This would include sharing information with community organizations that serve these populations. The Town will also affirmatively market the mastered ADU plans to low-income households for wealth-building purposes. | Persons with disabilities have disproportionate housing needs and a lack of affordable housing stock. Renters were disproportionately displaced by the Camp Fire.   | Lack of affordable rental housing; lack of accessible affordable units. | <p><b>Objectives:</b> Increase housing mobility by generating wealth for low-income homeowners and by facilitating the development of ADUs that are affordable to lower-income households in areas with higher access to opportunity</p> <p><b>Quantified Objectives:</b> 12-15 ADUs created through the mastered ADU plans and 30-40 ADUs permitted during the Housing Element cycle</p> <p><b>Responsible Party:</b> Housing Services staff</p> <p><b>Timeline:</b> Ongoing</p> |
| <b>Action 1.2:</b> Continue to disallow the enforcement of Covenants, Conditions, and Restrictions (CC&Rs) given their potential to cause areas of affluence and exclusion. Continue to allow all housing types (e.g., stick built, modular, manufactured) in all residentially zoned areas.  | Concentrated areas of poverty and/or concentrated areas of affluence can form when housing types are isolated and housing mobility is constrained. Across California and the nation, racial segregation has historically been promulgated through | Homogeneous population  | <p><b>Objectives:</b> Increase housing mobility by allowing single-family homes at different prices points within the same neighborhoods.</p> <p><b>Quantified Objectives:</b> 350 manufactured homes permitted during the planning period in</p>   |

TABLE 6: FAIR HOUSING ACTION PLAN

| Actions   | Fair Housing Issues   | Contributing Factors   | Implementation   |
|---|---|--|--|
|   | CC&Rs.  |  | neighborhoods throughout the town.<br><br><b>Responsible Party:</b> Housing Services staff<br><br><b>Timeline:</b> Ongoing   |
| <b>Action Area 2. Encouraging new housing choices and affordability in high resource areas and outside of areas of concentrated poverty.</b>  |   |  |  |
| <b>Action 2.1:</b> Require affordable housing developments be affirmatively marketed to households with disproportionate housing needs, including persons with disabilities and female-headed households. This would include sharing information with community organizations that serve these populations, such as legal service or public health providers. All marketing plans would include strategies to reach groups with disproportionate housing needs.   | Persons with disabilities have disproportionate housing needs and a lack of affordable housing stock. Neighborhoods with greater portions of non-White populations (i.e., downtown) have older housing stock. | Lack of affordable housing and especially affordable housing in high opportunity areas; Lack of accessible affordable units. | <b>Objectives:</b> Encouraging new housing choices and affordability<br><br><b>Quantified Objectives:</b> Affordable housing projects and available affordable units are advertised to at least three community organizations<br><br><b>Responsible Party:</b> Housing Services staff<br><br><b>Timeline:</b> Ongoing. Marketing plans are submitted at time of building inspection. |
| <b>Action 2.2:</b> Allow residential care facilities for seven or more person by-right in the sewer service area. This will make it easier to develop needed housing for special needs populations and ensure that these facilities are located in areas with access to commercial services, near evacuation routes, and with adequate sewer capacity.  | Persons with disabilities have disproportionate housing needs and housing for persons with disabilities has not yet been rebuilt to replace units that were in Paradise pre-fire.                             | Lack of accessible affordable units; Lack of access to economic opportunity; Camp Fire.                                      | <b>Objectives:</b> Encouraging new housing choices and affordability for populations with special needs housing<br><br><b>Quantified Objectives:</b> Development of 80 housing units for extremely- and very low-income households in the sewer service area.<br><br><b>Responsible Party:</b> Planning Department<br><br><b>Timeline:</b> Amend Zoning Ordinance by January 2025.   |
| <b>Action 2.3:</b> Utilize zoning tools to facilitate the construction of diverse housing types and a mix of uses within the sewer service area. This will increase access to opportunity by increasing the number of people who live in proximity to transit and services within the sewer service area. Encouraging mixed-income housing and diverse housing types will continue to facilitate integrated living patterns. Consistent with program HI-4, the Town could use changes to its fee structure and/or parking standard revisions to incentive | Paradise has constrained access to jobs given its rural nature. Reliance on septic systems constrains densities, creating barriers for deed-restricted multi-family housing units.                            | Lack of affordable units; Lack of access to economic opportunity; infrastructure constraints.                                | <b>Objectives:</b> Encouraging new housing choices and affordability<br><br><b>Quantified Objectives:</b> Development of 80 housing units for extremely- and very low-income households in the sewer service area. Construction of mixed-use buildings in the sewer service area.  |

TABLE 6: FAIR HOUSING ACTION PLAN

| Actions  | Fair Housing Issues  | Contributing Factors  | Implementation   |
|--|--|---|--|
| active ground floor uses below residential units.  |  |   | <p><b>Responsible Party:</b> Planning Division</p> <p><b>Timeline:</b> June 2024 for mixed-use incentives and January 2025 for rezoning parcels with the Sewer Overlay Zone.</p>   |
| <p><b>Action 2.4:</b> Utilize an equity lens in the upcoming General Plan update as well as the ongoing implementation of the Long-Term Community Recovery Plan. This includes ensuring an equitable community engagement process is implemented to capture feedback from historically excluded communities.</p> | Upcoming planning efforts and the rebuild process present an opportunity to ensure all protected classes are participating | The Town has historically not been very racially diverse, but does have high proportion of other protected classes  | <p><b>Objectives:</b> Encouraging new housing choices and affordability</p> <p><b>Quantified Objectives:</b> Participation amongst people of color and those in protected classes increases 10 percent from the first engagement activity to the last</p> <p><b>Responsible Party:</b> Planning Department</p> <p><b>Timeline:</b> Ongoing between 2023-2025 during the General Plan Update.</p> |
| <b>Action Area 3. Improving place-based strategies to encourage community conservation and revitalization including preservation of existing affordable housing.</b>   |  |   |  |
| <p><b>Action 3.1:</b> Continue to fund minor home repairs for income-eligible households through the owner-occupied rehab program. Work with FEMA to establish a grant program for home hardening retrofits.</p>   | Low-income households need resources for housing conservation.   | The Camp Fire - housing stock that survived the fire are scattered across town and are not place based. However, they are in need of community conservation and revitalization. | <p><b>Objectives:</b> Conserve and improve assets in areas of lower opportunity and concentrated poverty.</p> <p><b>Quantified Objectives:</b> Rehabilitation of 40 homes in target neighborhoods.</p> <p><b>Responsible Party:</b> Housing Division</p> <p><b>Timeline:</b> Conduct publicity campaign for the program once annually in addition to hosting information on Town website.</p>    |
| <p><b>Action 3.2:</b> Target accessibility upgrades in areas with greatest need. Implement the Transportation Master Plan (TMP) to prioritize intersection improvements where ADA upgrades are needed.</p>   | Persons with disabilities face disproportionate housing impacts.   | Community wide lack of sidewalks because of rural nature of Town.   | <p><b>Objectives:</b> Place-based infrastructure improvements to increase access for persons with disability</p> <p><b>Quantified Objectives:</b> All intersections are ADA compliant</p>  |

TABLE 6: FAIR HOUSING ACTION PLAN

| Actions  | Fair Housing Issues   | Contributing Factors | Implementation   |
|--|---|----------------------|--|
|  |   |                      | <p><b>Responsible Party:</b> Public Works Department</p> <p><b>Timeline:</b> During public road repaving project from August 2022 through 2025.</p>  |
| <b>Action Area 4. Protecting existing residents from displacement</b>  |   |                      |  |
| <p><b>Action 4.1:</b> Through partnerships with the Paradise Ridge and Butte County Fire Safe Councils explore home hardening programs that allow policyholders to lower their insurance rates through home hardening, vegetation management, or other risk reduction measures. Implement an equitable community engagement strategy and work with key stakeholders to identify Wildfire Risk Reduction Buffers to protect homes from the areas with greatest fire risk.</p> | <p>All residents are at risk of displacement from climate hazards. Impacts are greatest for those who are already underserved or experiencing disproportionate housing impacts.</p> | <p>Wildfire risk</p> | <p><b>Objectives:</b> Protect residents from future wildfire-related displacement.</p> <p><b>Responsible Party:</b> Planning Division and Fire Department</p> <p><b>Timeline:</b> . Meeting on Wildfire Risk Reduction Buffers by January 2023. Community engagement plan on Wildfire Risk Reduction Buffers by August 2023.</p> |

## APPENDIX B

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# APPENDIX C: TOWN OF PARADISE GENERAL PLAN DESIGNATIONS AND ZONING DISTRICTS



## PARADISE GENERAL PLAN

The Paradise General Plan provides a range of residential building types and densities in various areas of Paradise. Densities range from a low of one unit or less per acre in the Agricultural-Residential designation to 15 units per acre in the Multi-Family designation. Below is a brief description of each General Plan residential land use designation.

### AGRICULTURAL-RESIDENTIAL (A-R)

This designation applies to existing and planned residential areas characterized by larger parcels and accessory agricultural uses, including the raising of livestock and other forms of agricultural production. It provides for single-family detached homes, limited agricultural uses, churches, and public uses. Residential densities are in the range of one or less dwelling unit per gross acre. This designation is mainly applied to areas in the southern portion of town characterized by larger parcels and existing agricultural/residential land uses. The minimum lot area for this designation is 1 acre.

### RURAL-RESIDENTIAL (R-R)

This designation applies to a substantial portion of existing and planned single-family rural residential areas in the town. It is characterized by moderately large parcels and residential densities that range from 1 to 2 dwelling units per acre. This designation provides for single-family detached homes and secondary residential units as well as accessory rural uses. It may also provide for churches and public uses.

### TOWN-RESIDENTIAL (T-R)

This designation applies to existing residential areas characterized by small (0.5 gross acres or less) parcels and the absence of accessory rural uses, particularly the keeping of livestock. It provides for single-family detached and attached homes, mobile home parks, churches, and public uses. These designated areas may be served by a community sewer system if established. Residential densities are in the range of 1 to 3 dwelling units per gross acre. Mobile home parks with densities no greater than six dwelling units per gross acre may also be deemed consistent with this designation.

### MULTI-FAMILY RESIDENTIAL (M-R)

This designation applies to existing and planned multiple-family residential areas. It provides for single- and multiple-family residential structures, mobile home parks, convalescent homes, residential care facilities, churches, and public uses. Planned multi-family residential areas shall be located in areas near existing or planned commercial uses, community service uses, and along designated arterial or collector streets. Depending on the presence and application of constraints, maximum potential residential densities up to 15 dwelling units per acre are allowed if served by an approved clustered wastewater treatment and disposal system. Mobile home parks with densities no greater than 8 dwelling units per gross acre may also be deemed consistent with this designation.



## APPENDIX C

### NEIGHBORHOOD-COMMERCIAL (N-C)

This designation applies to existing and planned neighborhood and locally oriented commercial retail and service uses. This designation is primarily applied to small sites adjacent to residential neighborhoods and along designated arterial or collector streets. Single-family residential structures, accessory dwelling units, convalescent homes, and residential care facilities are permitted uses with Town approval and issuance of a site plan review or by conditional use permit.

### CENTRAL-COMMERCIAL (C-C)

This designation provides for retail and service uses, public uses, professional and administrative office uses, and multiple-family residential uses. This designation is applied only to the central commercial (downtown or core) area of Paradise and is intended to accommodate visitor-oriented as well as locally oriented commercial uses and mixed uses that conform to an adopted architectural design theme and guidelines. Maximum potential residential densities cannot exceed 15 dwelling units per gross acre if served by an approved clustered wastewater treatment and disposal system.

### TOWN-COMMERCIAL (T-C)

This designation provides for a full range of locally and regionally oriented commercial uses, including retail, retail centers, wholesale, storage, hotels and motels, restaurants, service stations, automobile sales and service, light fabrication, professional and administrative offices, churches, and public uses. This classification is applied to existing moderate- to high-intensity commercial uses that are suitable for infill and to areas located at the intersection of designated arterial and/or collector streets. Maximum potential residential densities cannot exceed 10 dwelling units per gross acre.

### COMMUNITY-SERVICE (C-S)

This designation provides for private uses that serve a community purpose or benefit the community. These uses include private hospitals, medical offices, schools, residential care facilities and day care facilities (other than those located in private residences), convalescent homes, emergency shelters and transitional housing, auditoriums and other places of assembly, senior citizen and youth centers, clubs and lodges, private utilities and facilities, and airports. This designation is primarily applied to existing or planned uses of this nature throughout the primary study area. Depending on the presence and application of constraints, maximum potential residential densities cannot exceed 15 dwelling units per gross acre if served by an approved clustered wastewater treatment and disposal system.

## ZONING ORDINANCE

The Zoning Ordinance classifies the following types of residential uses that may be permitted in a zone:

**Single-family residential** – Means use of a site for only one dwelling unit and its allowed accessory uses, or for one primary dwelling unit and 1 secondary dwelling.

**Two-family residence** – Means use of a site for two dwelling units, either in the same building or in separate buildings, except when one of the dwelling units is a secondary dwelling.

**Multiple-family residential** – Means use of a site for three or more dwelling units, in one or more buildings, including units intended for individual ownership together with common areas or facilities.

**Secondary dwelling** – Means an attached or detached residential dwelling unit that provides independent living facilities (i.e., provisions for living, sleeping, eating, cooking, and sanitation) for one or more people and is located on a site with a proposed or existing primary dwelling. Secondary dwellings are allowed on the same parcel as single-family homes or multi-family buildings. Efficiency units and manufactured homes can be types of secondary dwellings.

**Accessory Dwelling** – Means a dwelling unit accessory to a *nonresidential* principal use on the same site, intended for occupancy by the landowner or a person employed on the site for security, maintenance, or management purposes.

**Mobile/manufactured home** – Means a transportable factory-built housing unit designed and equipped for use as a dwelling unit with or without a permanent foundation. A mobile/manufactured home may include two or more sections separately transported and joined together as one integral unit. A mobile home shall not include a recreational vehicle.

**Mobile home park** – Means a unified residential development with two or more mobile home spaces, together with internal streets, common areas, and facilities for parking, recreation, laundry, utility, storage, or other services for the residents.

**Group residential** – Means residential occupancy of dwelling units or sleeping units by groups of more than six persons not defined as a family. Typical uses include rooming or boarding, dormitories, residence halls, and fraternity and sorority houses.

**Community care facility** – Means a facility, place, or building that is maintained and operated to provide nonmedical residential care, adult day care, child day care, intermediate care, congregate living, health care, or home-finding agency services for children, adults, or children and adults, including but not limited to the physically handicapped, mentally impaired, or incompetent persons and does not include drug recovery facilities.

**Community care facility, limited** – Means a community care facility that provides service for six or fewer persons, with the residents and operators of the facility being considered a family.

**Day care home, large family** – Means a family day care home facility in the provider's own residence that provides family day care for 7 to 14 children, including children under the age of 10 years who reside at the home.

**Day care home, small family** – Means a family day care home facility in the provider's own residence that provides family day care for eight or fewer children, including children under the age of 10 years who reside at the home.

**Emergency shelters** – Means facilities providing emergency shelter to homeless individuals or others in need of shelter. These accommodations include lodging and may include the following as ancillary uses: meals, laundry facilities, bathing, counseling, and other support services.

The Zoning Ordinance identifies 10 residential districts (Agricultural Residential, Rural Residential, Town Residential, and Multi-family Residential and their respective subzones) and 6 other zones (Agricultural, Neighborhood Commercial, Central Business, Community Commercial, Community Facilities, and Community Services) that allow residential development. Some zones have varying zoning treatments, or sub-zones. Below is a brief description of each zoning district.

### RESIDENTIAL ZONES

**Agricultural Residential (AR) Zones** – The Agricultural Residential zone is intended for land areas that are planned or are existing residential areas characterized by larger parcels and accessory agricultural land uses, including raising of livestock and other forms of agricultural production. The Agricultural Residential-1, Agricultural Residential-3, and Agricultural Residential-5 zones are consistent with the Agricultural-Residential (A-R) land use designation of the Paradise General Plan. The Agricultural Residential-3 and Agricultural Residential-5 zones are also consistent with the Open-Space/Agricultural land use designation of the Paradise General Plan.

**Rural Residential (RR) Zones** – The Rural Residential zone is intended for land areas that are planned or are existing single-family rural residential areas characterized by moderately large parcels and with residential densities that range from 1 to 2 dwelling units per acre. The RR-1, RR-2/3, and RR-1/2 zones are consistent with the Rural-Residential (R-R) land use designation of the Paradise General Plan.

**Town Residential (TR) Zones** – The Town Residential zone is intended for land areas that are planned or are existing single-family residential areas characterized by small (0.5 gross acres or less) parcels and the absence of accessory rural land uses, particularly the keeping of livestock. The TR-1, TR-1/2, and TR-1/3 zones are consistent with the Town Residential (T-R) land use designation of the Paradise General Plan.

**Multiple-Family Residential (M-F) Zones** – The Multiple-Family Residential zone is intended for land areas that are planned or existing multiple-family residential areas. Depending on the presence and application of constraints, maximum potential residential densities cannot exceed 15 dwelling units per acre and eight dwelling units per acre in mobile home parks. The Multiple-Family Residential zone is consistent with the Multi-Family Residential (M-R) land use designation of the Paradise General Plan.

### OTHER ZONES THAT ALLOW RESIDENTIAL USES

**Central-Business (C-B) Zone** – The Central-Business zone is intended for land areas located in the central commercial (downtown or core) area of Paradise and that provide for commercial retail and service uses, public uses, professional and administrative office uses, and multiple-family residential uses. The Central-Business zone is consistent with the Central-Commercial (C-C) land use designation of the Paradise General Plan and is potentially consistent with the Town-Commercial (T-C) Paradise General Plan land use designation.

**Community-Facilities (C-F) and Community-Services (C-S) Zones** – The Community-Facilities and Community-Services zones are intended for land areas that are planned to or already provide for public and public institutional land uses or private land uses which serve a community purpose or benefit the community. The Community-Facilities zone is consistent with the Public-Institutional (P-I), Community-Service (C-S), and Recreational (R) land use designations of the Paradise General Plan. The

Community-Services zone is consistent with the Community-Service (C-S) and Recreational (R) land use designations of the Paradise General Plan. In addition, the Community-Services zone is potentially consistent with the Multi-Family Residential (M-R) land use designation of the Paradise General Plan.

**Agricultural-10 (AG-10) and Agricultural-20 (AG-20) Zone** – The Agricultural-10/20 (AG-10, AG-20) zones are intended for land areas planned and deemed suitable to remain in their natural, primarily undeveloped state or to be used for open space and agricultural purposes. Such land areas can also be deemed inappropriate for urban development due to steep slopes, a significant lack of public services, and a substantial desire to retain existing agricultural or open space characteristics. The Agricultural-10 and Agricultural-20 zones are consistent with the Open-Space/Agricultural land use designation of the Paradise General Plan.

**Community-Commercial (C-C) Zone** – The Community-Commercial zone is intended for land areas that are planned or are providing a full range of locally and regionally oriented commercial land uses, including retail, retail centers, wholesale, storage, hotels and motels, restaurants, service stations, automobile sales and service, professional and administrative offices, etc. Depending on the presence and application of constraints, maximum potential residential densities shall not exceed 10 dwelling units per acre. The Community-Commercial zone is consistent with the Town-Commercial (T-C) land use designation of the Paradise General Plan and is potentially consistent with the Community-Service (C-S) Paradise General Plan land use designation.

**Neighborhood-Commercial (N-C) Zone** – The Neighborhood-Commercial zone is intended for land areas that are characterized by existing and planned neighborhood and locally oriented commercial retail and service uses. This zone is primarily applied to small sites adjacent to residential neighborhoods and along designated arterial or collector streets. The Neighborhood-Commercial zone is consistent with both the Neighborhood-Commercial (N-C) and the Town-Commercial (T-C) land use designations of the Paradise General Plan.

## COMBINING ZONES

**Planned Development Combining (P-D) Zone** – The purpose of the Planned Development Combining zone is to allow the establishment of planned developments with flexibility in the design of development projects; to promote economical and efficient use of the land, an increased level of urban amenities, and preservation of the natural environment; and to provide for phased completion of planned development projects.

## APPENDIX C

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## APPENDIX D: SITES INVENTORY, Scenario Without the Sewer

| Jurisdiction Name | Site Address/Intersection | 5 Digit ZIP Code | Assessor Parcel Number | Consolidated Sites | General Plan Designation (Current) | Zoning Designation (Current) | Minimum Density Allowed (units/acre) | Max Density Allowed (units/acre) | Parcel Size (Acres) | Existing Use/Vacancy | Infrastructure | Publicly-Owned         | Site Status | Identified in Last/Last Two Planning Cycle(s) | Lower Income Capacity | Moderate Income Capacity | Above Moderate Income Capacity | Total Capacity | Optional Information1  | Optional Information2  |
|-------------------|---------------------------|------------------|------------------------|--------------------|------------------------------------|------------------------------|--------------------------------------|----------------------------------|---------------------|----------------------|----------------|------------------------|-------------|---|-----------------------|--------------------------|--------------------------------|----------------|--|--|
| PARADISE          | 8634 SKYWAY               |                  | 95969051-102-047-000   |                    | TR                                 | TR 1/3                       | 0                                    | 1                                | 2.29                | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 1                        | 1                              | 2              | Previous use (pre-fire) was COMMERCIAL.  | Maximum density of 2 is per site. Density convention has been back-engineered for this site to provide a density per acre metric in Column I, consistent with HCD conventions. |
| PARADISE          | 3631 CONNIE CR APT A      |                  | 95969051-440-001-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 9.8                 | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 8                     | 16                       | 62                             | 86             | This entry includes the realistic capacity for the entirety of Consolidated Site A, which is an approximately 10-acre that was listed for sale: <a href="https://www.estately.com/listings/info/3600-connie-circle">https://www.estately.com/listings/info/3600-connie-circle</a>  |  |
| PARADISE          | 3631 CONNIE CR APT B      |                  | 95969051-440-002-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3631 CONNIE CR APT C      |                  | 95969051-440-003-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3631 CONNIE CR APT D      |                  | 95969051-440-004-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3619 CONNIE CR APT A      |                  | 95969051-440-005-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3619 CONNIE CR APT B      |                  | 95969051-440-006-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3619 CONNIE CR APT C      |                  | 95969051-440-008-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3605 CONNIE CR APT A      |                  | 95969051-440-009-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3605 CONNIE CR APT B      |                  | 95969051-440-010-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3605 CONNIE CR APT C      |                  | 95969051-440-011-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3605 CONNIE CR APT D      |                  | 95969051-440-012-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3593 CONNIE CR APT A      |                  | 95969051-440-013-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3593 CONNIE CR APT B      |                  | 95969051-440-014-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3593 CONNIE CR APT C      |                  | 95969051-440-015-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3593 CONNIE CR APT D      |                  | 95969051-440-016-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3606 CONNIE CR APT A      |                  | 95969051-440-017-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3606 CONNIE CR APT B      |                  | 95969051-440-018-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3606 CONNIE CR APT C      |                  | 95969051-440-019-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3606 CONNIE CR APT D      |                  | 95969051-440-020-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3622 CONNIE CR APT A      |                  | 95969051-440-021-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3622 CONNIE CR APT B      |                  | 95969051-440-022-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3622 CONNIE CR APT C      |                  | 95969051-440-023-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3622 CONNIE CR APT D      |                  | 95969051-440-024-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3549 CONNIE CR APT A      |                  | 95969051-440-025-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3549 CONNIE CR APT B      |                  | 95969051-440-026-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3549 CONNIE CR APT C      |                  | 95969051-440-027-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3549 CONNIE CR APT D      |                  | 95969051-440-028-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3559 CONNIE CR APT A      |                  | 95969051-440-029-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3559 CONNIE CR APT B      |                  | 95969051-440-030-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3559 CONNIE CR APT C      |                  | 95969051-440-031-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3559 CONNIE CR APT D      |                  | 95969051-440-032-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3569 CONNIE CR APT A      |                  | 95969051-440-033-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3569 CONNIE CR APT B      |                  | 95969051-440-034-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3569 CONNIE CR APT C      |                  | 95969051-440-035-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3569 CONNIE CR APT D      |                  | 95969051-440-036-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3581 CONNIE CR APT A      |                  | 95969051-440-037-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3581 CONNIE CR APT B      |                  | 95969051-440-038-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3581 CONNIE CR APT C      |                  | 95969051-440-039-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 3581 CONNIE CR APT D      |                  | 95969051-440-040-000   | A                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the inventory count given it is a condo parcel.   |
| PARADISE          | 5488 BLACK OLIVE DR       |                  | 95969052-160-016-000   |                    | MR                                 | MF                           | 0                                    | 15                               | 0.27                | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Used in Prior Housing Element - Non-Vacant    | 0                     | 1                        | 2                              | 2              |  |  |
| PARADISE          | 5995 MAXWELL DR           |                  | 95969053-030-020-000   |                    | MR                                 | MF                           | 0                                    | 15                               | 0.44                | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 1                        | 1                              | 2              |  |  |
| PARADISE          | 5975 MAXWELL DR APT 1     |                  | 95969053-380-001-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 6.50                | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 6                     | 10                       | 41                             | 57             | This entry includes the realistic capacity for the entirety of Consolidated Site E, which was the 6.5-acre Central Park Condominiums and was listed for sale <a href="https://www.landandfarm.com/property/6_52_Acres_in_Butte_County-10254839/">https://www.landandfarm.com/property/6_52_Acres_in_Butte_County-10254839/</a> |  |
| PARADISE          | 5975 MAXWELL DR APT 2     |                  | 95969053-380-002-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 3     |                  | 95969053-380-003-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 4     |                  | 95969053-380-004-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 5     |                  | 95969053-380-005-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 6     |                  | 95969053-380-006-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0.00                | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 7     |                  | 95969053-380-007-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 8     |                  | 95969053-380-008-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 9     |                  | 95969053-380-009-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 10    |                  | 95969053-380-010-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 11    |                  | 95969053-380-011-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 12    |                  | 95969053-380-012-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 13    |                  | 95969053-380-013-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 14    |                  | 95969053-380-014-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 15    |                  | 95969053-380-015-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 16    |                  | 95969053-380-016-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 17    |                  | 95969053-380-017-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 18    |                  | 95969053-380-018-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 19    |                  | 95969053-380-019-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 20    |                  | 95969053-380-020-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 21    |                  | 95969053-380-021-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 22    |                  | 95969053-380-022-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 23    |                  | 95969053-380-023-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned   | Available   | Not Used in Prior Housing Element             | 0                     | 0                        | 0                              | 0              | 0  | This parcel is excluded in the count given it is a condo parcel.   |
| PARADISE          | 5975 MAXWELL DR APT 24    |                  | 95969053-380-024-000   | E                  | MR                                 | MF                           | 0                                    | 15                               | 0                   | Vacant               | YES - Planned  | NO - Privately-Owned</ |             |   |                       |                          |                                |                |  |  |

|          |  |       |                 |   |    |        |  |   |      |       |        |                 |                      |           |   |   |    |    |    |  |   |
|----------|--|-------|-----------------|---|----|--------|--|---|------|-------|--------|-----------------|----------------------|-----------|---|---|----|----|----|--|---|
| PARADISE | WILLIAMS AND CENTRAL PARK DRIVE                | 95969 | 053-080-006-000 |   | MR | MF     |  | 0 | 15   | 1.89  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Two Consecutive Prior Housing Elements - Vacant | 0 | 3  | 12 | 15 |  |   |
| PARADISE | WILLIAMS AND CENTRAL PARK DRIVE                | 95969 | 053-080-005-000 |   | MR | MF     |  | 0 | 15   | 1.84  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Two Consecutive Prior Housing Elements - Vacant | 0 | 3  | 11 | 14 |  |   |
| PARADISE | WILLIAMS AND CENTRAL PARK DRIVE                | 95969 | 053-080-003-000 |   | MR | MF     |  | 0 | 15   | 1.32  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Two Consecutive Prior Housing Elements - Vacant | 0 | 2  | 8  | 10 |  |   |
| PARADISE | WILLIAMS AND CENTRAL PARK DRIVE                | 95969 | 053-080-002-000 |   | MR | MF     |  | 0 | 15   | 1.84  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Two Consecutive Prior Housing Elements - Vacant | 0 | 3  | 11 | 14 |  |   |
| PARADISE | ALMOND ST AND ELLIOT RD                        | 95969 | 052-150-054-000 |   | MR | MF     |  | 0 | 15   | 1.12  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Prior Housing Element - Non-Vacant              | 0 | 1  | 7  | 8  |  |   |
| PARADISE | SKYWAY AND ARLENE WAY                          | 95969 | 051-132-038-000 |   | TR | TR 1/2 |  | 0 | 2    | 1.00  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  |    | Maximum density of 2 is per site. Density convention has been back-engineered for this site to provide a density per acre metric in Column I, consistent with HCD conventions. |   |
| PARADISE | BURDAPARADISE LN AND SKYWAY                    | 95969 | 050-070-060-000 |   | MR | MF     |  | 0 | 15   | 0.41  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Two Consecutive Prior Housing Elements - Vacant | 0 | 1  | 1  | 2  |  |   |
| PARADISE | 6674 PENTZ RD                                  | 95969 | 050-230-058-000 |   | TR | TR 1/3 |  | 0 | 0.4  | 4.82  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was COMMERCIAL   | Maximum density of 2 is per site. Density convention has been   |
| PARADISE | KILCREASE CIR                                  | 95969 | 050-150-111-000 |   | TR | TR 1/3 |  | 0 | 0.08 | 25.42 | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was COMMERCIAL   | Maximum density of 2 is per site. Density convention has been   |
| PARADISE | 6656 PENTZ RD                                  | 95969 | 050-240-078-000 |   | TR | TR 1/3 |  | 0 | 0.6  | 3.16  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was COMMERCIAL   | Maximum density of 2 is per site. Density convention has been   |
| PARADISE | 6280 PENTZ RD                                  | 95969 | 053-250-115-000 |   | TR | TR 1/3 |  | 0 | 0.5  | 4.17  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was COMMERCIAL   | Maximum density of 2 is per site. Density convention has been   |
| PARADISE | 1348 ELLIOT RD                                 | 95969 | 053-330-070-000 |   | TR | TR 1/2 |  | 0 | 0.5  | 3.79  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was COMMERCIAL   | Maximum density of 2 is per site. Density convention has been   |
| PARADISE | 7075 CLARK RD                                  | 95969 | 050-051-052-000 | B | MR | MF     |  | 0 | 15   | 1.00  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 6  | 7  | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 7075 CLARK RD                                  | 95969 | 050-051-048-000 | B | MR | MF     |  | 0 | 15   | 6.13  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 5 | 10 | 39 | 54 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 1080 PEARSON RD                                | 95969 | 054-151-060-000 |   | MR | MF     |  | 0 | 15   | 2.97  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 2 | 4  | 19 | 25 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 7075 CLARK RD                                  | 95969 | 050-051-049-000 |   | MR | MF     |  | 0 | 15   | 2.23  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 2 | 3  | 14 | 19 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 6799 SKYWAY                                    | 95969 | 052-060-036-000 |   | MR | MF     |  | 0 | 15   | 0.48  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 2  | 2  | 4  | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 9141 SKYWAY                                    | 95969 | 050-011-013-000 |   | MR | MF     |  | 0 | 15   | 3.79  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 7 | 12 | 48 | 67 |  |   |
| PARADISE | CLARK RD AND BUSCHMANN RD                      | 95969 | 054-060-103-000 |   | MR | MF     |  | 0 | 15   | 4.41  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 8 | 14 | 56 | 78 |  |   |
| PARADISE | CLARK RD AND BUSCHMANN RD                      | 95969 | 054-060-102-000 |   | MR | MF     |  | 0 | 15   | 2.13  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 4 | 7  | 27 | 38 |  |   |
| PARADISE | SKYWAY AND ARLENE WAY                          | 95969 | 054-060-101-000 |   | MR | MF     |  | 0 | 15   | 4.93  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 9 | 16 | 63 | 88 |  |   |
| PARADISE | NEAR INTERSECTION OF CLARK RD AND BUSCHMANN RD | 95969 | 054-080-005-000 |   | MR | MF     |  | 0 | 15   | 4.77  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Prior Housing Element - Non-Vacant              | 9 | 15 | 61 | 85 |  |   |
| PARADISE | 6186 CENTER ST                                 | 95969 | 052-040-084-000 |   | MR | MF     |  | 0 | 15   | 2.29  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 2 | 3  | 14 | 19 |  |   |
| PARADISE | 7722 WILLOW ST                                 | 95969 | 052-160-004-000 |   | MR | MF     |  | 0 | 15   | 0.21  | Vacant | YES - Potential | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was SINGLE FAMILY RESIDENCE  |   |
| PARADISE | 6075 MAXWELL DR                                | 95969 | 053-030-036-000 |   | MR | MF     |  | 0 | 15   | 0.20  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  |  |   |
| PARADISE | 758 WILLOW ST                                  | 95969 | 052-160-002-000 |   | MR | MF     |  | 0 | 15   | 0.21  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was SINGLE FAMILY RESIDENCE  |   |
| PARADISE | 773 WILLOW ST                                  | 95969 | 052-160-010-000 |   | MR | MF     |  | 0 | 15   | 0.19  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was SINGLE FAMILY RESIDENCE  |   |
| PARADISE | 766 EDWARDS LN APT A                           | 95969 | 052-040-092-000 |   | MR | MF     |  | 0 | 15   | 3.40  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 2 | 5  | 22 | 29 |  |   |
| PARADISE | 5826 BLACK OLIVE DR                            | 95969 | 052-143-006-000 |   | MR | MF     |  | 0 | 15   | 0.20  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 0 | 1  | 1  | 2  | Previous use (pre-fire) was SINGLE FAMILY RESIDENCE  |   |
| PARADISE | 5754 BLACK OLIVE DR                            | 95969 | 052-143-002-000 |   | MR | MF     |  | 0 | 15   | 0.21  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Prior Housing Element - Non-Vacant              | 0 | 1  | 1  | 2  |  |   |
| PARADISE | 7726 SKYWAY                                    | 95969 | 051-164-060-000 |   | MR | MF     |  | 0 | 15   | 8.75  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 8 | 16 | 65 | 89 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 931 ELLIOTT RD                                 | 95969 | 053-111-034-000 |   | CS | CS     |  | 0 | 15   | 4.35  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 4 | 7  | 27 | 38 | former church site with no plans to rebuild  | Will be rezoned to MF (General Plan designation MR) as part of the Town's planning for the sewer project. This rezoning is not to accommodate a shortfall of sites and instead is related to the Town's General Plan update. The rezoning is therefore not included on Table B. |
| PARADISE | 8764 SKYWAY                                    | 95969 | 050-070-082-000 |   | MR | MF     |  | 0 | 15   | 3.12  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 8 | 15 | 59 | 82 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 5500 CLARK RD                                  | 95969 | 054-080-038-000 |   | MR | MF     |  | 0 | 15   | 6.18  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 4 | 10 | 39 | 53 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 759 WILLOW ST                                  | 95969 | 052-160-013-000 |   | MR | MF     |  | 0 | 15   | 2.45  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Prior Housing Element - NonVacant               | 2 | 4  | 15 | 21 | Previous use (pre-fire) was SINGLE FAMILY RESIDENCE  |   |
| PARADISE | 5838 BLACK OLIVE DR                            | 95969 | 052-160-015-000 |   | MR | MF     |  | 0 | 15   | 3.35  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Used in Prior Housing Element - NonVacant               | 2 | 5  | 21 | 28 | Previous use (pre-fire) was COMMERCIAL   |   |
| PARADISE | 6799 SKYWAY                                    | 95969 | 052-060-013-000 |   | MR | MF     |  | 0 | 15   | 3.50  | Vacant | YES - Planned   | NO - Privately-Owned | Available | Not Used in Prior Housing Element                       | 2 | 5  | 22 | 29 | Previous use (pre-fire) was COMMERCIAL   |   |

# APPENDIX E: PUBLIC ENGAGEMENT INPUT





## STAKEHOLDER INTERVIEWS

Interviews were conducted with eight stakeholders to better understand constraints, housing needs, and housing opportunities.

The main constraints and opportunities identified during these interviews are listed below.

### CONSTRAINTS

1. **Septic system capacity** is the main limiting factor for MF development. Increasing densities will likely not be possible until sewer goes in.
  - Developers viewed the proposed sewer project as uncertain, both in terms of its anticipated timing and how it will be funded. They also seemed to think that only a small portion of residential parcels would be able to utilize it.
  - Developing a MF project on a sewer parcel would add to the project's total development costs. How should we estimate these costs?
  - Generally, developers didn't seem to want to target densities beyond 15 du/acre, even when asked about the sewer project. This might be because of the uncertain timing of the project, or because they anticipate the sewer project only affecting certain sites in the Town.
  - The Town has determined that many properties have a failing septic system (40-60% of all properties). Replacing the septic is expensive. The Town and Rebuild Paradise Foundation have grants to support existing homeowners with these costs, but nothing for multi-family developers.
2. **Site availability.**
  - There aren't large parcels available for single-family home subdivisions in Paradise, so developers are taking a scattered site approach – which can be less cost effective and take more time.
  - There are also limited parcels zoned for multi-family housing in Paradise. This issue also intersects with the sewer project boundary question – see above.
3. **Insurance** in wildfire zones.

While insurance payouts have allowed both SF and MF property owners to rebuild, obtaining insurance for new construction has been very challenging – especially for multi-family housing (e.g., CHIP). Even when properties are able to get insurance, rates are at least 2x what they used to be. State legislation protects existing homeowners to some extent by requiring insurers to provide coverage, but there is no protection for multi-family/commercial properties of over \$3m in value.

4. Market-related barriers, including high **construction costs** for both SF and MF development.
  - Primarily due to shortage of labor and materials.
  - For individual homeowners, accessing construction loans can be a barrier.
  - The market is “dampened”, low risk tolerance from development community.

## APPENDIX E

5. **Lack of amenities**, facilities (health care, schools) and infrastructure (roads, fiberoptic, etc.) makes it challenging to attract residents and development, but the lack of population makes it harder to attract businesses back. “Chicken and egg” problem. Affordable housing funding sources also score Paradise lower because of the lack of amenities/facilities.
6. **Local resistance to higher MF densities**. The community prefers open space and very low densities. Developers talked about the need for a culture shift. Need to figure out “appropriate” densities in the right locations, such as commercial corridors, while also respecting the existing character.
7. **Special housing needs**.

The large population of Paradise residents and ex-residents with disabilities are on a fixed income and can’t pay more than \$400/month on rent. Can’t find these rates for brand new housing that just got built. Some service providers used insurance money to buy replacement housing instead of rebuilding. Housing would need ADA compliance and to be close to the resources the town has to offer (e.g., transit, medical facilities, local events) to best serve those with disabilities. California Vocations has three sites in Paradise that are now vacant and could be potential sites for rebuilds, but need to find funding.

Specific to affordable housing development, the following barriers were cited.

- Very limited recent affordable housing development. Paradise Community Village is the only recent tax credit project. Recently rebuilt by CHIP after the fire.
- Disaster recovery tax credits:
  - Town of Paradise may struggle to secure credits if TCAC reinstates the readiness requirements (minimum zoning & access to basic amenities). The Town is still recovering, so meeting the TCAC scores related to access to amenities will be particularly challenging.
- Butte County AMLs:
  - Market rates rents are sometimes equivalent to low-income rents (80% AMI).
  - Subsidized affordable housing projects target very low or extremely low incomes.
- Potential for on-site below market rate (BMR) units is low, given current market rate rents.
- Few developers had heard of the state density bonus. Again, sewer capacity constrains density on most sites.

## OPPORTUNITIES

- Residential floorplan library has been helpful.
- Some developers see an opportunity to “build back better” and implement key community infrastructure early on (walking/biking, etc.).
- Developers mentioned new building technologies as potential solutions, but it isn’t clear yet that they will provide significant cost savings.

- On the question of ADUs, some developers stated that there was potentially some interest, but generally not as popular as in other places. Certain challenges include meeting the septic system and the Town's dwelling size requirements.
- Fire science woven into zoning would be helpful; give the Town more enforcement capabilities for mitigation measures; want the Town to have ability to enforce/abate properties that are creating fire safety hazards.
- Provide more opportunities for parks/green buffers – areas to be zoned residential and park at the same time if identified as a key piece of risk mitigation area; allow nonprofit buy it and turn it into greenbelt.

### INCORPORATION INTO HOUSING ELEMENT

Feedback from stakeholder interviews was used to inform the Constraints section of the Housing Element, and policies and programs are proposed to directly address the barriers that were identified, as summarized below.

- The Sewer Service Overlay is proposed to address density constraints and provide flexibility while the Paradise Sewer Project progresses.
- Site consolidation programs (HI-7) are proposed to address site availability.
- Coordination and partnerships with local insurance companies and Fire Safe Councils are proposed to address challenges related to insurance (HP-27, HI-14).
- In addition to incoming subsidy provided by CDBG-DR funds, challenges related to high construction costs could be alleviated through innovative construction methods and new types of housing like tiny homes (HP-12 and HP-13).

### PUBLIC MEETING COMMENTS

The public meeting on September 21, 2021 utilized breakout rooms and a live poll to gather community feedback.

#### BREAKOUT OUT ROOMS

Breakout rooms were utilized at the September 21, 2021 community meeting to discuss potential housing policies and programs. Participants answered six questions and the feedback received during these discussion groups is listed below.

**What do you think about increasing the allowed density of housing along Skyway and Clark for when the sewer system comes in? Would you support three-story buildings on these key corridors? Do you have concerns about this approach?**

- 3 stories is very large for the region, even in Chico. Too dense.
- There are dorms that are that large, has no problem with it as long as there is architectural control and they look nice.
- Some of the existing 3 story buildings are not aesthetically pleasing.

- All the houses are too close together, the density does not match the feel of Paradise.
- Would prefer to keep it at 2 stories.
- Some of the ones on Elliot are 2 stories and are nicely landscaped.
- If there was space for landscaping it does look better.
- No utilitarian/military block look.
- With all the open space requirements for fire resiliency, we need to add density elsewhere.
- We could put the open space within the buildings.
- Support higher density in moderation if it maintains neighborhood character.
- Like the idea of mixed uses for higher density buildings – also promotes walkability and safety to have mixed use.
- Preference for one story.
- Concern for traffic with increasing density along Skyway.
- Wary of aesthetic of massing with larger buildings.

**How do you see the wildfire shaping future housing and safety goals? Which wildfire resiliency policies do you support? Do any give you concern?**

| Policy                               | Reasons for Support  | Reasons for Concern  | Incorporation into Housing Element  |
|--------------------------------------|--|--|---|
| Parks and greenbelts as buffers      | <ul style="list-style-type: none"> <li>▪ Very needed and desired</li> <li>▪ Would like to see the river edge be purchased by the state or county to maintain it as a buffer and protect against fires coming from the canyon</li> <li>▪ Can't rebuild the old footprint of the town, some lots are too narrow or have other issues. So we have to erase parts of Town, which is difficult due to personal connections</li> </ul> | <ul style="list-style-type: none"> <li>▪ Management</li> <li>▪ Concern for increasing setbacks</li> </ul>  | Planning for Wildfire Risk Reduction Buffers is included in HP-26. Implementation of this policy includes continued outreach around it.   |
| Wildfire hazard impact fee           | <ul style="list-style-type: none"> <li>▪ Support for fire safe materials</li> </ul>  | <p>What does that look like? Depends on how much.</p> <ul style="list-style-type: none"> <li>▪ Slight reservation, there are already a lot of fees associated with building</li> <li>▪ Would hate it to prevent someone from building on the land</li> </ul> | HP-25 calls for the Town to consider the feasibility of a fee.  |
| Increased bldg/ landscape reqs.      | <ul style="list-style-type: none"> <li>▪ Very supportive, realistic about energy and forces needed for maintenance effort</li> <li>▪ support for programs to increase enforcement of vegetation management</li> </ul>  | What about homes that are already being rebuilt/been rebuilt?  | HP-23 and numerous policies in the Safety Element would increase education around fire-safe practices. The Town would also monitor and consider the application of more stringent fire-safe requirements. Grants or no-interest loans would be considered |
| Home hardening or fuel mgmt programs | <ul style="list-style-type: none"> <li>▪ Interest in more resources for this</li> <li>▪ Enthusiasm for this</li> <li>▪</li> <li>▪ It would be good to help homeowners with this, especially for disabled people or someone without a lot of income</li> </ul>  |  |   |

| Policy  | Reasons for Support  | Reasons for Concern | Incorporation into Housing Element   |
|---|--|---------------------|--|
| Other: Insurance reform and community-based insurance | There has been increase in homeowner's insurance for some, others not so much. Some have had trouble finding insurance at all and was not able to switch providers. There is hope that we can reduce the risk factor and lower prices with these policies. RCAC looking into which combination of policies would satisfy the insurance companies that the town is enough safer to act normal again.<br>Residents report there are noticeably fewer trees and more space, so the town is already a lot safer than 3 years ago, and this should be modelled for the insurance companies. |                     | to help low-income property owners with vegetation management and home hardening.<br>Coordination and partnerships with local insurance companies and Fire Safe Councils are proposed to address challenges related to insurance (HP-27, HI-14). |

### What do you see as best practices for managing and maintaining adequate defensible space?

- Fire Dept is issuing citations or warnings, The Town is letting folks know if they meet the requirements. Important to go lot by lot and make sure every owner is doing what they have to do to maintain all of our defense. We have to do it as a group.
- But this is also difficult for some owners, especially some who aren't physically in Town. It takes too long for some people to do their tasks.
- Maybe what we need is faster acting laws on our books that allows the Town to act faster than in one year, which is inadequate. The whole process just takes too long.
- Need year-round reminders and enforcement of vegetation and weed management.
- Education for what to plant and what not to plant.
- Fence materials?
- Cutting weeds requires a lot of manual labor.
- Enforcement or safety around using herbicide.
- Mulching is costly and laborious.

### What can the Town do to support residents in extreme weather events related to heat and drought?

- There aren't as many extremes in Paradise as other areas, no need for this.
- Community centers to use power, making facilities available for AC. A lot of people in RVs.
- Identify and establish cooling centers; especially for those living in temporary housing (RV's and trailers, mobile homes).
- School district, other public facilities, churches to serve as cooling centers.

- Implement transportation contact network→ volunteers.
- County already has network for those with disabilities.
- Understanding resiliency plan for flooding, increased chance in burn scarred areas.
- Important to re-imagine what the vegetation can look like; Black Oak as opposed to Pine trees.
- Encourage tree planting programs→ County Resource Conservation District (RCD).
- Education program for resilient landscaping and understanding what fire safe materials mean and look like.

### **What other ideas, policies, program, or suggestions do you have to meet our housing needs?**

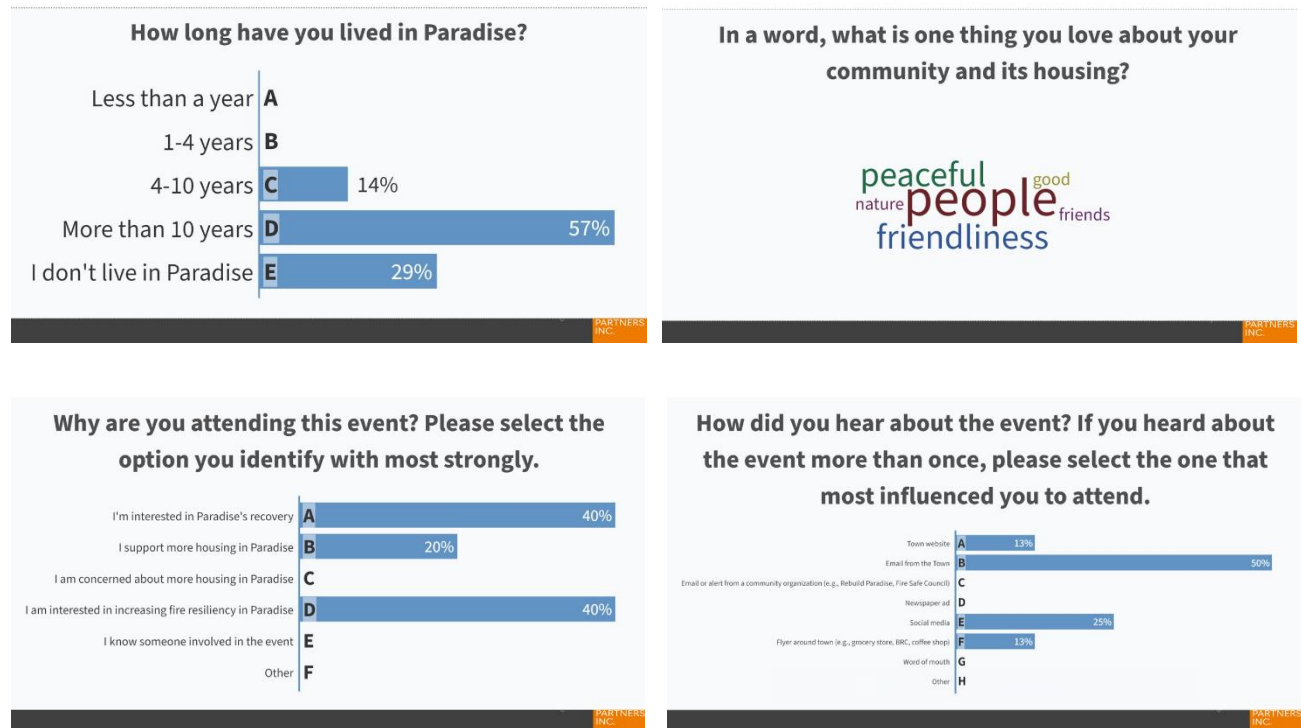
- Concern for mobile home parks from financing by developers/owners of parks to rebuild, while holding on to land for PG&E settlement.
- Mobile homes offer housing but ARE large fire risk.
- Volunteer housing for rebuilding homes.
- Provide greater flexibility for workforce and temporary housing.
- Ensure there's adequate sprinklers and up to fire code.

### **How do you feel about policies to facilitate unconventional building methods, typologies, or labor forces to get around high construction costs? Do you have ideas for partnerships or programs? Do you have other ideas to address high construction costs?**

- Housing for Volunteers.
- Storage container homes serve as effective alternative materials and are fire safe, not always done in an aesthetically pleasing way—design standards for alternative housing?
- Support for more uniform development that maintains character, want new construction being rebuilt to be long-lasting.
- Grouping of tiny homes into villages.
- Fire-safe constructed, affordable alternative modular units that ship cheaply (Boxabl).
- Interest in tiny home villages/concentration of affordable units.

## LIVE POLL

In addition to the breakout rooms, a live poll was used to collect data. The results are shown below.



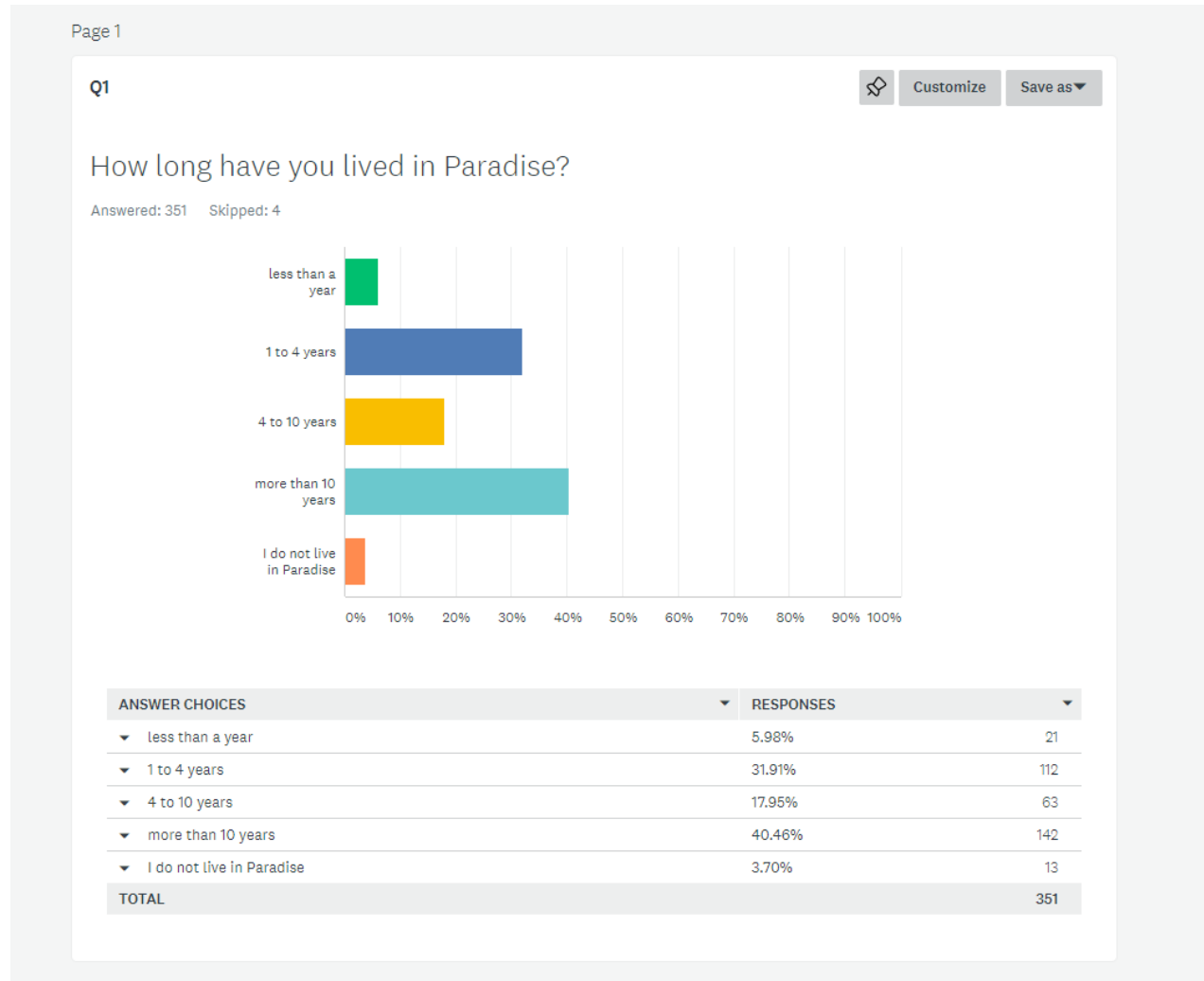
## INCORPORATION INTO HOUSING ELEMENT

Feedback from breakout rooms and live poll shaped the policies and programs included in the Housing and Safety Elements. Programs with the most support were included in the elements, including allowing tiny home villages, enforcing and helping property owners with vegetation management, working with community partners to try to tie insurance rates to home hardening and other fire-safe practices, pursuing the creation of Wildfire Risk Reduction Buffers, and concentrating more housing along key evacuation corridors that will be served by the future sewer system.



## ONLINE SURVEY

An online survey was open from September 22, 2021 to September 29, 2021 and 355 responses were collected. The results are shown below.



Q2

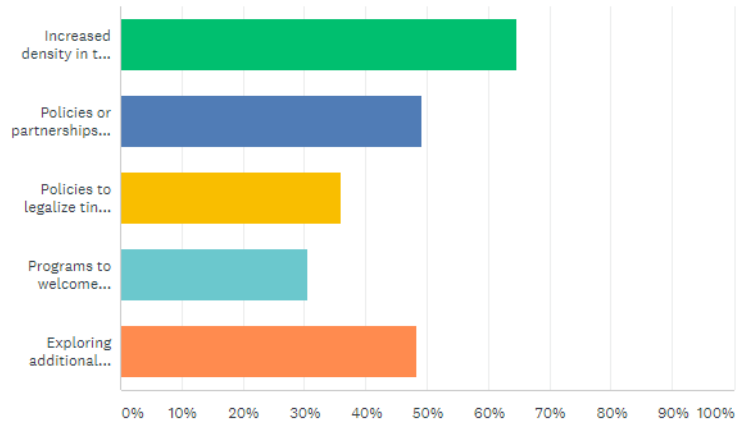


Customize

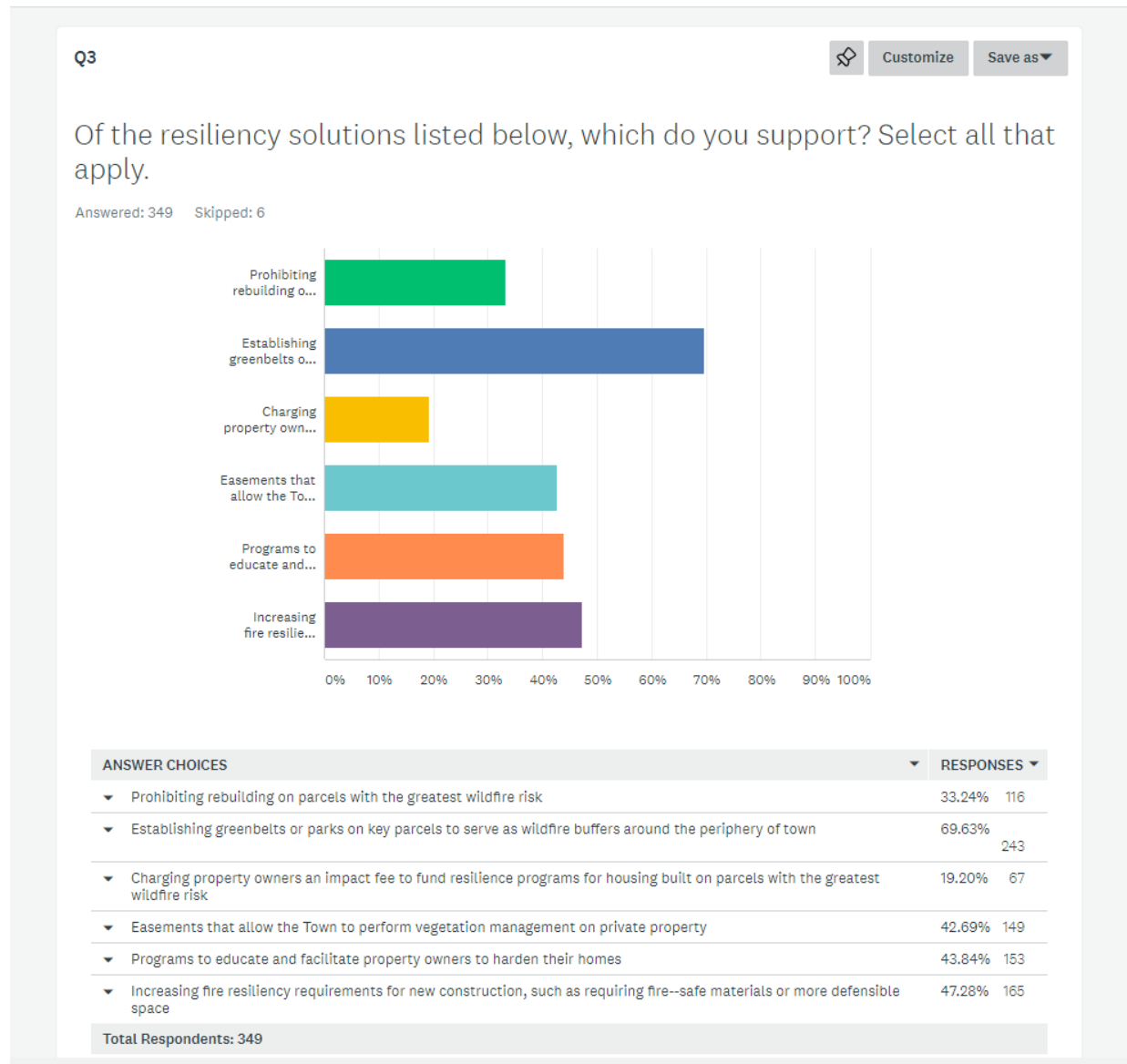
Save as ▼

Of the housing solutions listed below, which do you support? Select all that apply.

Answered: 350 Skipped: 5



| ANSWER CHOICES ▼  | RESPONSES ▼ |
|---|-------------|
| ▼ Increased density in the Sewer Service Area to build more housing near services and away from greatest risk                 | 64.57% 226  |
| ▼ Policies or partnerships to facilitate nontraditional building methods like container architecture or off-site construction | 49.14% 172  |
| ▼ Policies to legalize tiny homes and tiny home villages  | 36.00% 126  |
| ▼ Programs to welcome nontraditional labor forces to help rebuild   | 30.57% 107  |
| ▼ Exploring additional funding or partnership opportunities for affordable and supportive housing                             | 48.29% 169  |
| Total Respondents: 350  |             |



## INCORPORATION INTO HOUSING ELEMENT

Feedback from the online survey shaped the policies and programs included in the Housing and Safety Elements. Programs with the most support were included in the elements, including the densification of the town in the Sewer Service Area, establishment of potential Wildfire Risk Reduction Buffers, and pursuing potential partnerships with stakeholders working in non-traditional construction. Based on community feedback, policies and programs to discourage development in the most dangerous areas and policies that would add additional costs to development (e.g., impact fees, additional fire resiliency measures) are tempered to ensure tradeoffs with development feasibility are considered. With implementation of the Housing and Safety Elements, the Town will balance the need for fire safety and the need for housing.

# **Town of Paradise Housing and Safety Elements INITIAL STUDY**

**Town of Paradise  
Community Development Department  
Building Resiliency Center  
6295 Skyway  
Paradise, CA 95969**

April 2022

URBAN  
PLANNING  
PARTNERS  
INC.



## TABLE OF CONTENTS

|      |  |    |
|------|--|----|
| I.   | PROJECT DESCRIPTION .....                        | 1  |
| II.  | ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED ..... | 8  |
| III. | ENVIRONMENTAL CHECKLIST.....                     | 10 |
| 1.   | Aesthetics Resources .....                       | 10 |
| 2.   | Agricultural and Forestry Resources .....        | 13 |
| 3.   | Air Quality .....                                | 15 |
| 4.   | Biological Resources .....                       | 18 |
| 5.   | Cultural Resources.....                          | 22 |
| 6.   | Energy.....                                      | 24 |
| 7.   | Geology and Soils .....                          | 26 |
| 8.   | Greenhouse Gas Emissions .....                   | 30 |
| 9.   | Hazards and Hazardous Materials .....            | 32 |
| 10.  | Hydrology and Water Quality.....                 | 40 |
| 11.  | Land Use and Planning.....                       | 44 |
| 12.  | Mineral Resources.....                           | 47 |
| 13.  | Noise.....                                       | 48 |
| 14.  | Population and Housing.....                      | 50 |
| 15.  | Public Services .....                            | 52 |
| 16.  | Recreation .....                                 | 57 |
| 17.  | Transportation and Traffic .....                 | 59 |
| 18.  | Tribal Cultural Resources .....                  | 71 |
| 19.  | Utilities and Service Systems .....              | 73 |
| 20.  | Wildfire.....                                    | 76 |
| 21.  | Mandatory Findings of Significance .....         | 80 |
| IV.  | LIST OF PREPARERS .....                          | 82 |
| V.   | REFERENCES .....                                 | 84 |

*List of Tables*

|         |  |    |
|---------|--|----|
| Table 1 | Final Town of Paradise RHNA by Income Tier .....                 | 3  |
| Table 2 | Town of Paradise Quantified Objectives 2022-2030 .....           | 3  |
| Table 3 | Sewer Area Rezoning .....  | 45 |
| Table 4 | BCAG Travel Demand Model Daily Home-Based VMT per Resident ..... | 67 |
| Table 5 | BCAG Housing Forecasts - Total Dwelling Units 2018-2040 .....    | 68 |
| Table 6 | Paradise Growth Projects - Total Dwelling Units .....            | 68 |

*List of Figures*

|          |                             |    |
|----------|-----------------------------|----|
| Figure 1 | Project Location .....      | 6  |
| Figure 2 | Housing Element Sites ..... | 7  |
| Figure 3 | Evacuation Routes .....     | 36 |
| Figure 4 | Evacuation Zones .....      | 37 |

*Appendices*

Appendix A: Technical Transportation Memorandum

Appendix B: Town VMT Policies

## I. PROJECT DESCRIPTION

The following is an Initial Study and Environmental Checklist for the proposed Paradise Housing Element and Safety Element Updates (the Project).

1. **Project Title:** Housing and Safety Element Updates
2. **Lead Agency Name and Address:**  
Town of Paradise  
Community Development Department  
6295 Skyway  
Paradise, CA 95969
3. **Contact Person and Phone Number:**  
Susan Hartman, Community Development Director  
530-872-6291 (ext. 417)  
shartman@townofparadise.com
4. **Project Sponsor's Name and Address:**  
Town of Paradise  
6295 Skyway  
Paradise, CA 95969
5. **General Plan Land Use Designation:** N/A
6. **Zoning:** N/A
7. **Project Location:** Town-wide
8. **Surrounding Land Uses and Setting:**

The environmental setting consists of the areas located within the Town of Paradise, which is located in north central Butte County. Paradise is located at the juncture of the western slopes of the Cascade and Sierra Nevada systems. The area is defined by steep canyons - to the east by the West Branch of the Feather River drainage, and to the northwest by the Butte Creek-Little Butte Creek drainage. The Town of Paradise is accessible via Skyway Road, Clark Road, Neal Road, and Pentz Road from the south, while Clark Road transitions into Highway 191 through town. Old Skyway Road is the main entrance to town from the north.



## 9. Description of Project:

The 2022-2030 Housing Element identifies the policies and implementation measures that the Town will implement to ensure that housing in Paradise is affordable, safe, and decent. The Housing Element addresses housing needs by encouraging the provision of an adequate quantity of sites planned for multi-family housing, preservation of existing housing, rebuilding housing lost in the 2018 Camp Fire, and increasing the safety and resiliency of housing in the town. In conjunction with the 2022-2030 Housing Element update, the Safety Element is being updated to also address wildfire risk reduction and to identify and mitigate other natural or man-made hazards.

These Housing and Safety Element updates (the Project) facilitate the rebuilding of the town since the 2018 Camp Fire at the densities that were previously developed and/or the densities allowed under the current General Plan and Zoning Code. The Project also looks at increased residential densities in the downtown core where a sewer system is currently in the planning phase (See Figure 1). As part of the implementation of the Housing Element, a Sewer Service Overlay Zone would be developed to enable mixed-use and multi-family development at higher densities on parcels within the Sewer Service Area. Figure 2 shows sites identified in the Housing Element update to accommodate the Town's Regional Housing Needs Allocation (RHNA). The Town's assigned RHNA is shown in Table 1. The vast majority of the parcels identified in the Housing Element were previously developed with housing that was destroyed in the Camp Fire and 95 percent of the Town's RHNA was allocated to rebuild units lost in the fire. Although the Housing Element demonstrates the land availability to accommodate the entirety of the Town's RHNA, the quantified objectives for the Housing Element are shown in Table 2. These quantified objectives represent the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The quantified objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve, based on needs, resources, and constraints. The Town's quantified objectives are for the construction of 3,020 units and rehabilitation of 55 units.

No physical development changes are proposed as part of the Project. Instead, the Project establishes housing and safety-related goals, policies, and programs and the Housing Element identifies suitable land for development to achieve its RHNA. The general goals of the Safety Element are to minimize risk and vulnerability of the community to hazards, increase the community's ability to be prepared for and respond to disaster events, reduce fire severity and intensity in and around Paradise, and increase resiliency in the face of climate change. The general goals of the Housing Element are to encourage and facilitate the production of all housing types; improve, rebuild, and preserve safe and decent housing; and accommodate housing designed for persons with special housing needs.

**TABLE 1 FINAL TOWN OF PARADISE RHNA BY INCOME TIER**

| <b>Income Group</b>                             | <b>Town of Paradise Units</b> | <b>Town of Paradise Percent</b> | <b>Butte County Units</b> | <b>Town of Paradise Percent of County RHNA</b> |
|---|-------------------------------|---------------------------------|---------------------------|--|
| Very Low Income (<50 percent of AMI)            | 383                           | 5%                              | 2,081                     | 18%  |
| Low Income (50 percent-80 percent of AMI)       | 374                           | 5%                              | 1,290                     | 29%  |
| Moderate Income (80 percent-120 percent of AMI) | 1,319                         | 18%                             | 3,202                     | 41%  |
| Above Moderate Income (>120 percent of AMI)     | 5,103                         | 71%                             | 8,933                     | 57%  |
| <b>Total</b>                                    | <b>7,179</b>                  | <b>100%</b>                     | <b>15,506</b>             | <b>46%</b>                                     |

Source: Butte County Association of Governments Regional Housing Needs Plan, December 2020.

**TABLE 2 TOWN OF PARADISE QUANTIFIED OBJECTIVES 2022-2030**

| <b>Income Levels</b>                               | <b>Construction</b> | <b>Rehabilitation</b> | <b>Preservation</b> |
|--|---------------------|-----------------------|---------------------|
| Extremely and Very Low Income (<50 percent of AMI) | 133                 | 30                    | -                   |
| Low Income (50 percent-80 percent of AMI)          | 483                 | 25                    | -                   |
| Moderate Income (80 percent-120 percent of AMI)    | 402                 | 0                     | -                   |
| Above Moderate Income (>120 percent of AMI)        | 2,002               | 0                     | -                   |
| <b>Total</b>                                       | <b>3,020</b>        | <b>55</b>             | <b>-</b>            |

No at-risk units were identified, and therefore no preservation is required at this time.

Source: Town of Paradise, 2021.

The Town of Paradise General Plan was adopted by the Town Council in 1994 and amended through 2010. The General Plan was designed to serve as a long-term guide for orderly growth and development in Paradise. The General Plan also forms the foundation for zoning, subdivision regulation, and other planning decisions. The General Plan includes seven elements, including the Housing Element and Safety Element. The Housing Element has been periodically updated through the years, with the most recent 2014-2022 Housing Element adopted in June 2014. The 1994 General Plan including the 2014-2022 Housing Element serve as the Town's current, comprehensive and long-term plan for the future physical and orderly development of the community, consistent with the State's regulatory requirements. The

2022-2030 Housing Element is a continuance of this update process and, if adopted by the Town, would require an amendment to the General Plan for its inclusion. The Safety Element has not been updated since the adoption of the General Plan, but other planning efforts, including the Butte County Local Hazard Mitigation Plan and Butte County Community Wildfire Protection Plan, have continued to analyze and mitigate safety hazards. State legislation since the 2014-2022 Housing Element now requires the Safety Element be updated whenever the Housing Element is updated.

The proposed Housing and Safety Elements include programs which would require amendments to the Town's Municipal Code. The way in which these changes impact the physical environment in the town is the basis of the analysis provided in this Initial Study.

#### **10. Required Approvals:**

The Housing and Safety Elements require adoption by the Town of Paradise along with General Plan Amendments to incorporate the updated Elements into the General Plan.

#### **11. Other Public Agencies Whose Approval is Required:**

The Town of Paradise is the lead agency with responsibility for approving the Project. There are no other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) for the proposed Housing and Safety Elements.

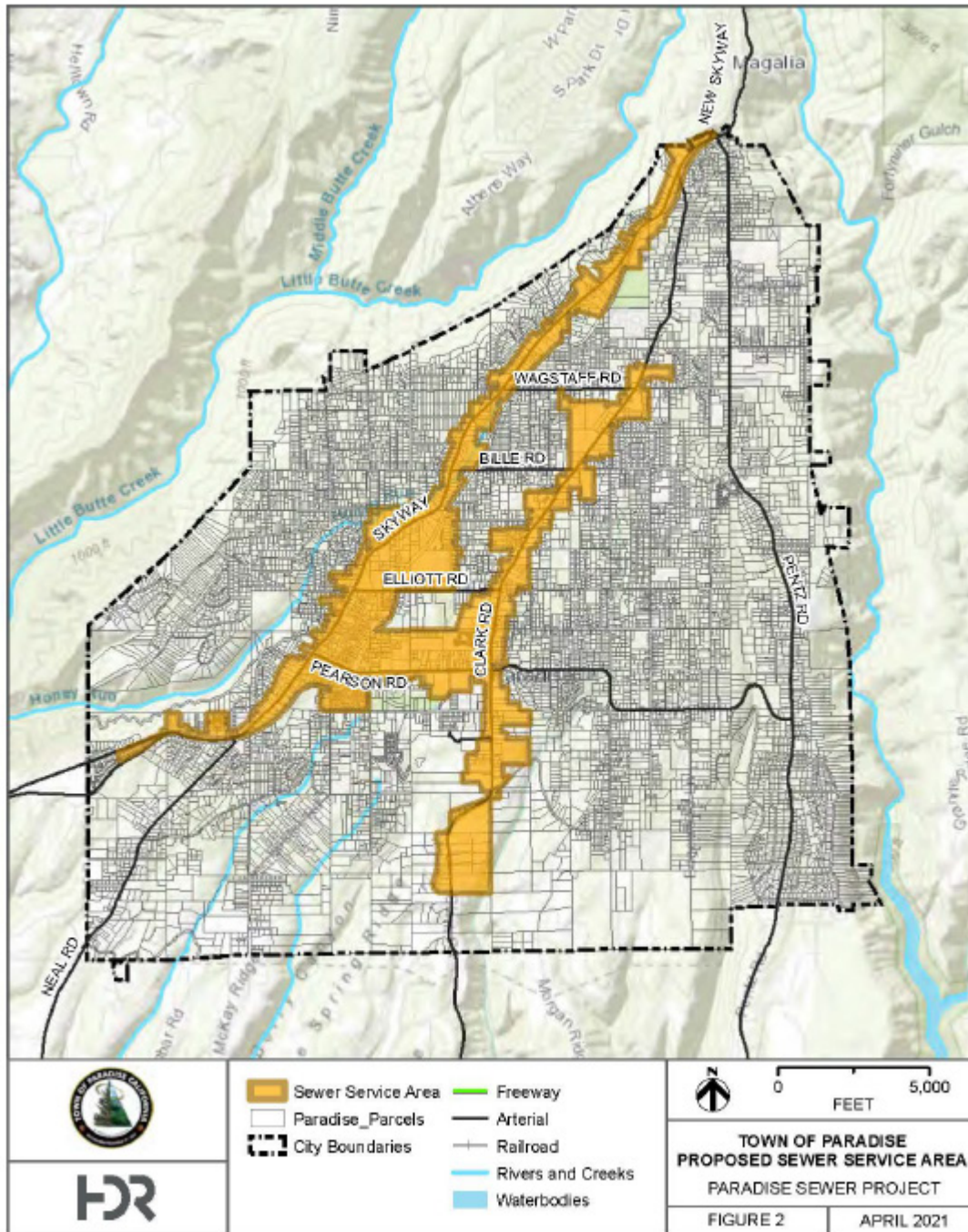
The California Department of Housing and Community Development (HCD) reviews the proposed Housing Element and determines whether it complies with State law. While HCD approval is not required for the Town's adoption of the Housing Element, certification from HCD indicates that a housing element is adequate. Similarly, the California Board of Forestry and Fire Protection reviews the Safety Element for land use considerations in high fire risk areas.

#### **12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

The Town of Paradise started the AB 52 and SB 18 90-day Tribal Consultation opportunity period, according to Government Code Section 65352.3, by sending out certified written notices on November 2, 2021 inviting the appropriate tribes to consult on the project. The tribes that were notified are: United Auburn Indian Community of the Auburn Rancheria, Mooretown Rancheria, Mechoopda Indian Tribe, Greenville Rancheria, Berry Creek Rancheria, Enterprise Rancheria, Washoe Tribe of Nevada and California, and Konkow Valley Band of Maidu (Tribes). Two tribes responded: the United Auburn Indian Community of the Auburn Rancheria and the Berry Creek Rancheria. The United Auburn Indian Community of the Auburn Rancheria confirmed that the Project site is outside of its geographic area of traditional and cultural affiliations. The Berry Creek Rancheria tribe requested a consultation related to the sewer system and the corresponding Sewer Service Overlay Zone, and consultation occurred

between the tribe and the Town's engineering department (the lead agency for the Town's sewer project). The sewer project is a separate effort for this Project and currently undergoing its own environmental review. Upon further conversations with the tribe, the Berry Creek Rancheria shared that they did not have concerns with the Project, which is related to making land available for rebuilding and new construction of housing. Consistent with Government Code 21080.3.2, tribal consultation is considered concluded given the tribe's input that no significant effect exists.

**Figure 1**      **Project Location**



Source: Town of Paradise and HDR, 2021



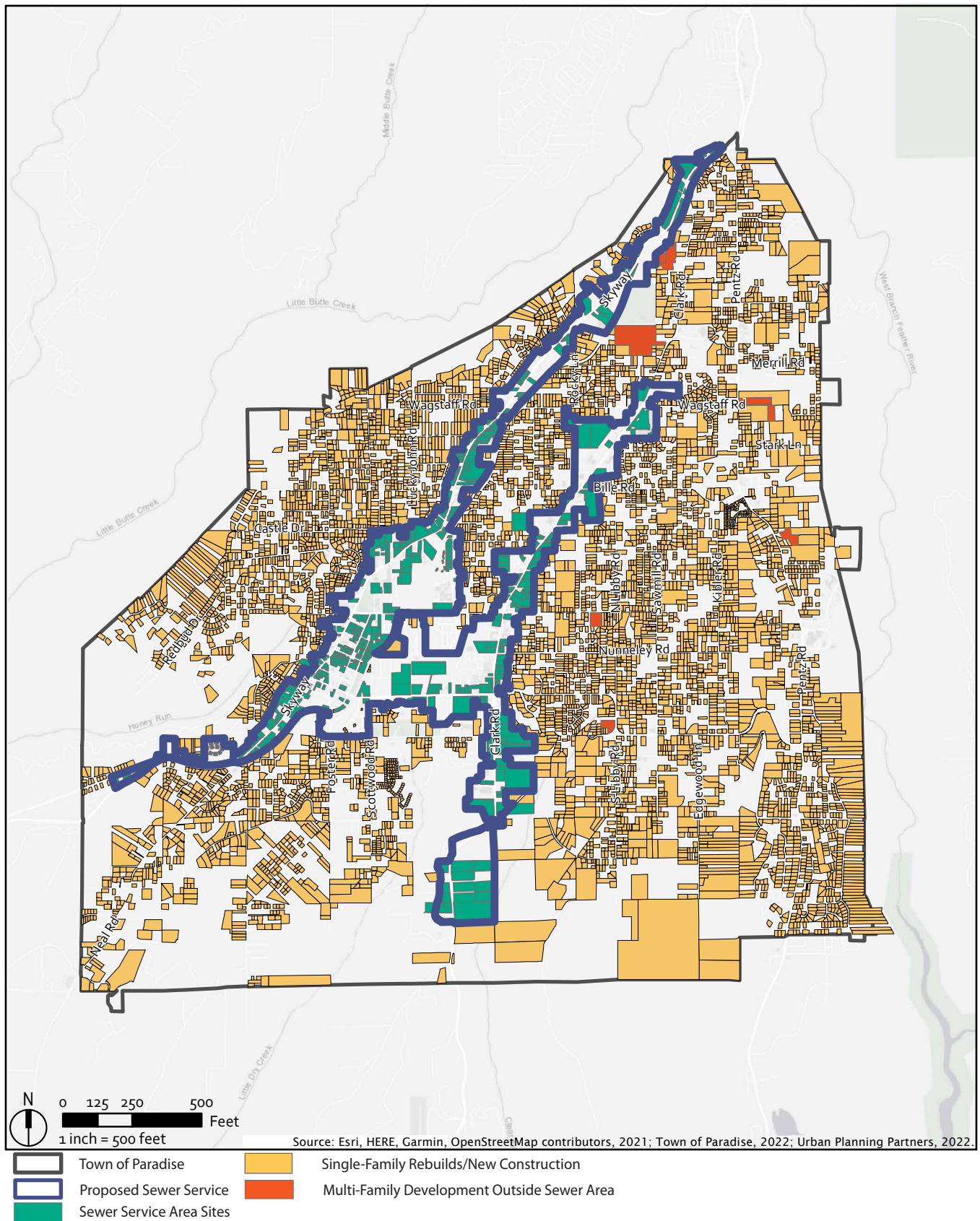


Figure 2  
Adequate Residential Sites

## II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the Project, involving at least one impact that is a Potentially Significant Impact, as indicated by the checklist on the following pages.

- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics Resources               | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Parks & Recreation                 |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Population & Housing               |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Energy                             | <input type="checkbox"/> Transportation & Traffic           |
| <input type="checkbox"/> Geology & Soils                    | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Utilities & Service Systems        |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Wildfire                           |
| <input type="checkbox"/> Hydrology & Water Quality          | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Land Use & Planning                |   |

### Determination:

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



4/15/2022

-----  
Signature

-----  
Date

Susan Hartman

Environmental Review Officer





### III. ENVIRONMENTAL CHECKLIST

#### 1. Aesthetics Resources

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>   |                                      |  |                                     |                          |
| a. Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Have a substantial adverse effect on a scenic vista? Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?</i>  |                                      |  |                                     |                          |

**Less Than Significant.** Scenic resources in the vicinity of Paradise include the Sutter Buttes, Coastal Range, Sierra Nevada, and scenic water resources. The Town's General Plan establishes four "gateway areas" where views of unique environmental settings are to be preserved and enhanced. These gateway areas are described below.

- Lower Skyway Gateway. An area approximately 2,000 feet in circumference along lower Skyway at the Town limits and in the western Sphere of Influence boundary. Honey Run Road goes through this gateway.
- Neal Road Gateway. An area approximately 2,000 feet in circumference right near the Town limits and in the southwestern Sphere of Influence boundary.

- Lower Clark Gateway. An area of approximately 2,000 square feet in circumference along lower Clark Road (Highway 191) outside of Town limits and in the southern Sphere of Influence boundary.
- Pentz Road Gateway. An area of approximately 2,000 square feet in circumference along lower Pentz Road outside of Town limits and in the southern Sphere of Influence boundary.

In addition to the gateway areas, scenic corridors link and branch off the gateways, extending into and through town. Within Town limits, southern portions of Skyway and Neal Road are identified as scenic corridors and the entirety of Pentz Road within town is identified as a scenic corridor.

The Project does not include any specific designs or proposals, nor does it grant any entitlements for development. Implementation of the Housing Element Update would potentially lead to an increase in residential units within Paradise; however, the Town has adequate housing sites to accommodate its RHNA over the current housing cycle without annexing natural lands. Development along Pentz Road would remain low-density and the portions of the town envisioned for medium-density development in the Sewer Service Area (SSA) are in the downtown core with substantial distance from the scenic gateways. In addition, future development would be subject to objective standards in the Zoning Code and General Plan, including Section 17.06.820 *Scenic highway corridors* that maintain key viewsheds and prohibit incompatible uses on scenic corridors. In addition, most of the housing sites identified to accommodate the Town's RHNA were previously developed with housing that was destroyed in the fire.

For these reasons, the Project's impacts on scenic vistas would be less than significant.

- b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**Less Than Significant.** According to the California Department of Transportation, there are no eligible or designated State scenic highways in Paradise. The nearest eligible highway is Route 70 between Route 149 near Wicks and Route 89 near Blairsden. Route 70 is east of Paradise, ranging from approximately 2.5 miles away in the southeast edge of town to 6.3 miles in the northeast edge of town. Paradise is not visible from the Highway given the topography.

While the Housing Element Update encourages the provision of a range of housing types and affordability levels, it does not include any specific designs or proposals, nor does it grant any entitlements for development that would degrade the existing visual character of the Town. Future residential development projects would be required to comply with the General Plan policies related to visual resources (e.g., OCEP-3, OCEP-5) and Municipal Code requirements associated with planning and development regulations.

As mentioned above, the Project envisions development be more clustered in the downtown core than the pre-Camp Fire (pre-Fire) conditions. Densifying areas in the middle of town that

are better served by evacuation routes and utilities is compatible with maintaining the scenic resources surrounding the Town limits.

For these reasons, the Project's impacts on scenic resources would be less than significant.

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

**Less Than Significant.** While the Project encourages the provision of a range of housing types and affordability levels, it does not include any specific designs or proposals, nor does it grant any entitlements for development that would degrade the existing visual character or quality of public views within the Town. Future residential development projects would be required to comply with the General Plan policies related to visual resources (e.g., OCEP-3, OCEP-5) and Municipal Code requirements, including Section 17.06.820 *Scenic highway corridors*, associated with maintain the visual quality of public views of the town's scenic surroundings.

As previously mentioned, the Project includes policies and programs to facilitate medium-density, multi-family development in the SSA. The SSA is in the downtown core and a substantial distance from the scenic gateways identified in the General Plan.

For these reasons, the Project would not degrade the visual character of the town and the potential impacts would be less than significant.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Less Than Significant.** The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development that would increase daytime glare or nighttime illumination in the town. Future residential development projects in Paradise would be required to be designed and constructed in accordance with Town regulations, including Municipal Code Sections 17.06.810 *Lighting fixtures*, which requires lighting fixture designs and placement to reflect away from nearby residences within 200 feet and to minimize glare and illumination onto adjoining or nearby properties.

For these reasons, the project would not create new sources of light or glare that could adversely affect daytime or nighttime views in the area.

---

## 2. Agricultural and Forestry Resources

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact                        |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                      |  |                                     |                                     |
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a) <i>Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?</i>                                    |                                      |  |                                     |                                     |

**No Impact.** The Project would not affect prime, unique, or farmland of statewide importance. According to the California Department of Conservation, no potentially important farmland has been mapped in Paradise.

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**Less Than Significant.** Paradise has no Williamson Act Contracts according to the California Department of Conservation. Paradise has agricultural zones in various areas of the Town, consistent with the open-space agricultural land use designation of the Paradise General Plan. The project would not conflict with the existing zoning for agricultural use and therefore would have a less than significant impact.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

**No Impact.** The Project would not affect timberland. The sites identified to satisfy the RHNA do not include timberland, according to the Paradise General Plan Land Use Element, Figure 2-1. There would be no impact from the Project.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** The Project would not affect forestland. The Town does not contain any lands for forest use and the Project would only affect development within the Town limits. There would be no impact to or conversion of forest land from the Project.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

**No Impact.** Implementation of the Project would not result in the conversion of Farmland or forest land to non-agricultural or non-forest use, respectively. The Project facilitates vegetation management and future residential development, but only within Town limits. The Town has adequate residential capacity inside the Town limits to accommodate its RHNA and implementation of the Project would not affect the agricultural or forest lands surrounding Town. The Project would have no impact.

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### 3. Air Quality

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact                        |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: |                                      |  |                                     |                                     |
| a. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?             | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Paradise is located in a region identified as the Sacramento Valley Air Basin (SVAB), which principally includes all of Sacramento, Yolo, Yuba, Sutter, Colusa, Glenn, Butte, Tehama, and Shasta counties and parts of Solano and Placer counties. This larger air basin is divided into local air districts, which are charged with the responsibility of implementing air quality programs. The project site is located in Butte County, which is under the jurisdiction of the Butte County Air Quality Management District (BCAQMD). The BCAQMD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs and regulates agricultural and nonagricultural burning. Other district responsibilities include monitoring air quality, preparing air quality plans, and responding to citizen air quality complaints. In Butte County, the two pollutants of most concern are fine particulate matter (PM<sub>2.5</sub>) and Ozone (O<sub>3</sub>). PM<sub>2.5</sub> is a common wintertime pollutant and Ozone is a common summertime pollutant.

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

**Less Than Significant.** Although Butte County is in non-attainment for 8-Hour Ozone, changes based on the Housing Element and Safety Element Updates would not obstruct the implementation of the air quality plan addressing this. The Northern Sacramento Valley Planning Area 2018 Triennial Air Quality Attainment Plan (2018 Air Quality Attainment Plan) proposes strategies to attain California Ambient Air Quality Standards (CAAQS) for ozone. Ozone can be caused by stationary source emissions (e.g., internal combustion engines, boilers), mobile sources (e.g., cars, trucks, trains) or area sources (e.g., consumer products,

wildfires). In addition, the Northern Sacramento Valley Planning Area (NSVPA) can experience ozone from the Broader Sacramento Area; emissions originally created in the Broader Sacramento Area can be blown north into the NSVPA and affect the NSVPA pollution levels.

The 2018 Air Quality Attainment Plan utilized existing and projected data for population, industry, and vehicle-related emissions growth. The population projections were based on data from the California Department of Finance (DOF) Demographic Research Unit. The Butte County Association of Governments 6<sup>th</sup> Cycle Regional Housing Needs Plan is likewise based on DOF population projections (in addition to data from the relevant Regional Transportation Plan). Therefore, the housing units the Project is planning for are part of the population growth planned for in the 2018 Air Quality Attainment Plan.

The Project includes policies and programs to facilitate housing construction. However, any future construction in the Town must follow the regulations set forth by the Butte County Air Quality Management District and the Town of Paradise. For example, future residential development projects would comply with General Plan policies related to improving air quality (e.g., Policies CP-11, CP-13, CP-15, CP-17, CP-20, CP-21, and CP-23).

Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2014-2022 Housing Element would have a less-than-significant impact associated with obstructing implementation of the regional air quality attainment plan.

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?*

**Less Than Significant.** As previously mentioned, Paradise (and all of Butte County) does not meet national standards for ozone. Future development of housing units facilitated by the implementation of Project could result in an increase in criteria pollutants during both construction and operational activities and could also contribute to the existing nonattainment status of the NSVPA for ozone. Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth could generate exhaust emissions and fugitive particulate matter emissions that would affect local air quality. This is variable depending on the weather, soil conditions, and the amount of activity taking place, as well as the nature of dust control efforts. Likewise, operational air quality impacts are dependent on the density and size of specific residential land uses.

The Project does not include any specific development designs or development proposals, nor does it grant any entitlements for development. All future development would be required to be in accordance with local regulations. Environmental impacts of subsequent development projects would also be considered, pursuant to CEQA, on a case-by-case basis following submittal of a specific development proposal. Furthermore, future residential development projects would be required to comply with General Plan policies related to air quality (e.g.,

Policies CI-11, CI-13, and CI-16). Finally, policies and programs in the Safety Element would mitigate hazards related to poor air quality from wildfire smoke. Therefore, Project implementation would have a less than significant impact associated with contributing substantially to an existing or projected air quality violation and increasing criteria pollutants during both construction and operational activities.

c) *Expose sensitive receptors to substantial pollutant concentrations?*

**No Impact.** The Project is a policy document. It does not include any specific development designs or development proposals, nor does it grant any entitlements for development. Housing units facilitated by the Project would be considered sensitive receptors that could be exposed to pollutant concentrations. However, future residential development would be required to comply with General Plan policies and environmental health regulations related to pollutants, during both construction and operational activities, including national ambient air quality standards and BCAQMD thresholds. There would be no impact from the Project.

d) *Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?*

**No Impact.** Residential developments are not considered to be an emission source that would result in objectionable odors. The Project does not include any specific development designs or development proposals, nor does it grant any entitlements for development. All future development would be required to be in accordance with local regulations. The project would have no impact.



#### 4. Biological Resources

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a) <i>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</i> |                                |  |                                     |                                     |

**Less Than Significant.** The Project would affect lands in the Town of Paradise. According to the US Fish and Wildlife Service, the following species are threatened, endangered, or candidate species that may be present in Butte County: yellow-billed cuckoo, giant garter snake, California red-legged frog, California tiger salamander, Sierra Nevada yellow-legged frog, delta smelt,

valley elderberry longhorn beetle, fairy shrimp, vernal pool fairy shrimp and vernal pool tadpole shrimp. According to the California Department of Fish and Wildlife, the following species of special concern or threatened species occur vicinity of Paradise (i.e., one of the quadrangles that Town touches): foothill yellow-legged frog, bald eagle, California spotted owl, fisher, western pond turtle, golden eagle, California black rail, western spadefoot, greater sandhill crane, long-eared owl, burrowing owl, coast horned lizard, and tricolored blackbird. State, federal, and local policies exist to protect threatened and endangered species, including the federal Endangered Species Act, California Endangered Species Act, Migratory Bird Act, and Native Plant Protection Act.

The proposed Housing and Safety Element Updates are policy level documents. While the Project encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or development proposals, nor does it grant any entitlements for development. All future residential development occurring within the Town would be required to be in accordance with local regulations addressing special status species and would be subject to CEQA review once a specific development proposal is submitted.

Furthermore, wildfire prevention and resiliency policies in the Safety Element could improve the health of the ecosystem by facilitating the use of native plant species, drought-tolerant and fire-resistant landscaping, and healthy forest best management practices. The Project also seeks to facilitate the use of key parcels as open space Wildfire Risk Reduction Buffers and to concentrate more housing in the SSA near the center of town. Concentrating future development on sites located within or surrounded by already developed communities/neighborhoods is consistent with the existing General Plan policies (e.g., OCEP-15, OCEP-17, OCEP-27) to preserve important natural lands and habitat areas.

For these reasons, the Project would have a less-than-significant impact on candidate, sensitive, or special status species.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**Less Than Significant.** There are several freshwater ponds and creeks within the Town limits. As discussed under a) above, the proposed Project is a policy-level document and it does not include any site-specific designs or development proposals, nor does it grant any entitlements for development. Future residential development resulting from Project implementation may result in adverse impacts to sensitive natural communities such as riparian habitat. However, the future development would be subject to the environmental reporting requirements of CEQA and to Paradise General Plan policies that protect natural communities (e.g., OCEP-24, OCEP-26, OCEP-27). In addition, the Project includes policies and programs to facilitate infill housing development and to create and preserve open space for Wildfire Risk Reduction Buffers. For these reasons, the Project would have a less-than-significant impact on riparian habitat and sensitive natural communities.

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?*

**Less Than Significant.** As discussed under a) and b) above, the proposed Project is a policy-level document and it does not include any site-specific designs or development proposals, nor does it grant any entitlements/or development. The potential for future development influenced by the Project to have an adverse effect on wetlands cannot be determined, as no specific details regarding future land use development are provided. Although additional impacts are not expected to result from the implementation of future individual residential projects as they relate to the sites identified to satisfy the RHNA or by the Project's proposed regulatory changes, review would be required of these future proposals and would identify and if necessary, require avoidance or provide mitigation for any impacts to wetlands in the Town. The adoption of the Project would have a less than significant impact.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less Than Significant.** As discussed above, the Project is a policy-level document and it does not include any site-specific designs or development proposals, nor does it grant any entitlements for development. The potential for future development influenced by the proposed changes to the Housing Element to interfere substantially with the movement of native resident or migratory fish or wildlife species or migratory wildlife corridors or the uses of wildlife nursery sites cannot be determined, as nonspecific details regarding future land use development are provided. Although additional impacts are not expected to result from the implementation of future individual residential projects as they relate to the sites identified to satisfy the RHNA or by the Project's proposed regulatory changes, review would be required of these future proposals and would identify, and if necessary, require avoidance or provide mitigation for any impacts to native wildlife corridors and nursery sites. The adoption of the Project would have a less than significant impact.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

**Less Than Significant.** The Project does not include any specific development proposals, nor does it grant any entitlements for development that would affect biological resources. The Project does include programs and policies to increase community awareness of best practices for vegetation management, facilitate effective fuels management programs, and increase the use of fire-resistant plantings. Such policies would enhance, not contradict, existing Town policies related to the preservation of healthy trees and biological resources, including Municipal Code Sections 8.12 *Felling, removal, destruction, damaging and replacement of trees* and 8.58 *Defensible space and hazardous fuel management*. Policies proposed by the Project

are consistent with the Municipal Code and General Plan and future development under the Project would be subject to local regulations, including the Town's tree replacement programs codified in Section 8.12.120 of the Municipal Code.

Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources and potential impacts would be less than significant.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?*

**No Impact.** There are currently no adopted or proposed habitat conservation plans (HCPs), natural community conservation plans (NCCPs), or other approved local, regional, or State habitat conservation plans that affect the Town. The Butte Regional Conservation Plan (BRCP) is a joint HCP/NCCP currently under development, but it is for the cities of Chico, Oroville, Gridley, and Biggs, as well as lowland Butte County; Paradise is not within the proposed conservation area of this plan. Because the HCP/NCCP is not yet final and the town is not within the proposed conservation area, there would be no potential for conflict with the Project.

Moreover, the Project does not include any specific development proposals, nor does it grant any entitlements for development that would affect biological resources. There would be no impacts from the Project.

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## 5. Cultural Resources

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Disturb any human remains, including those interred outside of formal cemeteries?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

*a-c) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? Disturb any human remains, including those interred outside of formal cemeteries?*

**Less Than Significant.** Paradise lies within territory formerly inhabited by the Northwestern Maidu or Konkow peoples. This group of native peoples divided themselves into territorial groups known as "tribelets" or "village communities," which consisted of multiple politically confederated villages. Each tribelet was sovereign in matters of land ownership, reaction to trespass, and ceremonies. Major villages were located atop the crests of ridges high above the rivers.<sup>1</sup>

Future residential development under the Project could conflict with existing known cultural and historical resources. There is a band of land that runs across southern Paradise, roughly following Honey Run, Bushman, and Pearson Roads, that is known for archaeological sensitivity (see Figure 2-3 Land Use Constraints Diagram of the General Plan). In addition to "known" resource areas, there is the potential that there are undiscovered paleontological and archeological resources that would be encountered and potentially impacted by future construction activities. These resources could include human remains located outside of cemeteries.

While the Project encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or proposals, nor does it grant any entitlements for development that would adversely affect archaeological, paleontological, or historic resources. All future residential development occurring within the Town would be required to comply with local regulations, including General Plan policy OCEP-36, which requires development in the known archeological sensitivity area to undertake an archaeological survey and for projects outside the sensitivity area to consult the California

<sup>1</sup> Town of Paradise, 1994. Paradise General Plan Environmental Setting Document.

Archaeological Inventory, Northeast Information Center, and California State University, Chico to determine whether a survey is recommended. The Town also has policies to mitigate potential discovery of cultural resources, including ceasing work in the event of artifact discoveries (OCEI-20). For these reasons, the Project's impacts on cultural resources would be less than significant.

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## 6. Energy

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

**Less Than Significant.** Pacific Gas & Electric Company (PG&E) provides energy to Paradise. According to the California Energy Commission, the total electricity usage in PG&E's service area in 2020 was approximately 78,520 million kilowatt-hours (kWh).<sup>2</sup> New housing in Paradise facilitated by the Project would lead to increased energy consumption due to both construction and operation of new residential units. Construction-related energy usage would be temporary and have a negligible contribution to the Project's overall energy consumption. Construction contractors would have a financial disincentive to waste fuel used by construction equipment (i.e., excess fuel usage reduces profits) and therefore, it is generally assumed that energy used during construction would be conserved to the maximum extent feasible. Furthermore, regulations enforced by the California Air Resources Board (Title 13, Section 2485 of California Code of Regulations) limit the idling time of diesel construction equipment to five minutes.

In almost all cases, the sites identified for future residential development to accommodate the RHNA were previously developed with housing and almost the entirety (95 percent) of the Town's RHNA was assigned to rebuild units lost in the Camp Fire. The potential increase in electricity consumption over baseline conditions due to operation of residential units would be comparable to the energy usage that was accommodated pre-Fire and represents a minimal increase in electricity consumption in context of the energy availability and consumption within PG&E's service area. The Project also includes policies and programs to reduce the energy consumption of future residential households by increasing awareness of building methods and materials that increase resiliency (SP-53, SI-23) and providing assistance for low-income households to perform energy improvements (SI-2, HI-20). Future development would also comply with applicable provisions of the California Building Code related to energy efficiency.

<sup>2</sup> CEC, 2021. "Electricity Consumption by Entity." Available at <http://ecdms.energy.ca.gov/elecbyutil.aspx>. Accessed November 16, 2021.

The Project includes policies and programs to encourage smaller multi-family units in infill locations well served by infrastructure (and disincentivizes density where there is poor access to evacuation routes and where wildfire risk is highest, such as parcels identified as Wildfire Risk Reduction Parcels). The type of mixed-use infill development well-served by services and infrastructure that the Project encourages tends to encourage use of public transit, walking, and biking as alternatives to private vehicles, as well as trip internalization, thereby reducing unnecessary consumption of vehicle fuels.<sup>3</sup>

For the reasons discussed above, the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The inclusion of policies to reduce energy consumption and facilitate development that is more energy efficient could have a positive impact on energy consumption and any impacts would be less than significant.

*b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

**Less Than Significant.** The Project sites would not result in conflicts or obstruct plans for renewable energy. In fact, the Project includes policies and programs such as rebates and education around installing renewable energy sources and more energy-efficient building materials. It also seeks to incentivize multi-family development near services and create a more walkable pattern of development. Such policies are consistent with the Paradise General Plan (e.g., OCEG-10, OCEP-39), which addresses energy efficiency in the Open Space/Conservation/Energy Element. Impacts from the project would be less than significant.

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<sup>3</sup> Victoria Transport Policy Institute.2020. Land Use Impacts On Transport: *How Land Use Factors Affect Travel Behavior*. June 5.



## 7. Geology and Soils

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                                |  |                                     |                                     |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii. Strong seismic ground shaking?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii. Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv. Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
  - i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42;*
  - ii) *Strong seismic ground shaking;*
  - iii) *Seismic-related ground failure, including liquefaction;*

**Less Than Significant.** The Project includes policies and programs designed to facilitate the construction and conservation of housing, which could increase exposure of people and structures to seismic hazards, including rupture of a fault, strong seismic shaking, and seismic-related ground failure. There are no known or inferred active faults within the town and none of the sites identified to satisfy the RHNA are located within an Alquist-Priolo zone. The only known active fault in Butte County is the Cleveland Hills fault, the site of the August 1975 Oroville earthquake. This earthquake had a Richter magnitude of 5.7. Due to the proximity of the Town to the nearby Cleveland Hills Fault, the Town can expect low to medium intensity shocks from time to time. The town is considered to be at a low risk of hazards from liquefaction.

The Safety Element also includes policies to minimize risk and vulnerability of the community to hazards and reduce damages. Furthermore, all future residential development would be required to be in compliance with local and State regulations, including the General Plan, Zoning Ordinance and the Alquist-Priolo Earthquake Fault Zoning Act. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Applicants would also have to work with the Town of Paradise Building Department to implement the proper structural specifications. The California Building Code ensures that structures be built according to required seismic standards and designed to withstand such events. Future residential development related to the Project would be required to meet the California Building Code requirements. For these reasons, potential impacts related to seismic conditions would be less than significant.

*iv) Landslides?*

**Less Than Significant.** Landslides are most likely on hillsides where rock strata parallels surface slopes, high clay content absorbs excess water, displacement has fractured a fault zone, or the base of a slope has been removed by erosion or people. The majority of Paradise is at a low to moderate risk of landslide. The areas surrounding the town are where the topography most dramatically changes and are at greater risk to landslide. The northern edge of town and pockets in the southern and western edges are at moderate risk and the Town limits on the east abut and at times overlap an area of high potential landslide risk.

The Project includes policies and programs designed to facilitate the construction and conservation of housing, which could increase exposure of people and structures to landslides. The Project includes policies to facilitate clustering development in the SSA, which is primarily contained within the area of low landslide risk. The Safety Element also includes policies and programs to minimize risk and vulnerability of the community to hazards and reduce damages. The Town also has policies to prohibit development on steep slopes where landslide and ground failure are a greater concern; development on slopes exceeding 20 percent are required to submit erosion control plans and slope stabilization programs. Development is prohibited on slopes exceeding 30 percent. Consistency with local and State policies, including the California Building Code, would ensure future development under the Project is designed to reduce landslide risks. The Project, which is at the policy level, would have less than significant impacts related to exposing people to landslides.

*b) Result in substantial soil erosion or the loss of topsoil?*

**Less Than Significant.** Future construction related to the Project could result in the moving and grading of topsoil, which could lead to disturbed soils that are more likely to suffer from erosion from a variety of sources, such as wind and water. However, as discussed above, the Project is a policy-level document that does not propose any specific development and does not directly result in adverse impacts associated with substantial loss of topsoil or erosion. Any future residential developments would be subject to Building and Safety codes that address grading and the environmental analysis requirements of CEQA. In addition, any future development would be required to prepare a stormwater pollution prevention plan (SWPPP) in compliance with the Regional Water Quality Control Board's (RWQCB) General Construction Storm Water Permit. SWPPPs are required to identify best management practices to minimize soil erosion and protect existing drainage systems during construction. Compliance with the State's General Construction Storm Water Permit minimizes soil erosion and loss of topsoil associated with development. Impacts from the Project would be less than significant.

*c-d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

*Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?*

**Less Than Significant.** Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. This increase in volume can cause damage to foundations, structures, and roadways. Standard procedures used in the construction of concrete footings as required by the California Building Code address this potential impact of future development pursuant to the Project. Future development facilitated by the Project could be on unstable or expansive soils, but compliance with existing regulations like the California Building Code and CEQA would decrease any risks. The policies included in

the Project seek to minimize the risk of hazards through community education, land use planning, and development standards. Impacts from the Project would be less than significant.

*e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**No Impact.** The wastewater infrastructure in Paradise and throughout the unincorporated areas immediately adjacent to town has relied on septic and leach field systems in past years and will continue to do so during the 2022-2030 Planning Period of the Housing Element. This situation is a viable alternative for new development at lower densities, but not for development at densities of 10 units per acre or higher. Development in Paradise is constrained by the lack of a community wastewater collection and treatment system. The use of clustered wastewater treatment systems, which combine several discharges, treat the waste in one biological treatment plant to a high-quality level, and discharge to subsurface land disposal, is one alternative design that is accepted by the Town and serves as a means to allow development to move forward without the impacts that are associated with the septic leach line systems that currently serve most Paradise. This alternative can be feasible for a larger project, or a consortium of property owners, but is a constraint to small individual projects due to the relatively high cost.

The Project includes a program (HI-1) to continue planning for a sewer system and to provide education to property owners and other stakeholders as planning continues. Program HI-5 would create a zoning overlay to allowed increased densities in the SSA. The Paradise Sewer Project is undergoing its own CEQA review (an EIR began in fall 2020) and the Project under review in this CEQA document does not propose to construct, nor does it require the construction of, such a sewer system. All future housing would be required to comply with the Town's wastewater regulations, including the determination of whether a project site's soils could support a septic system or other type of wastewater disposal. As such, implementation of the Project would have no impact in this area.

*f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less Than Significant.** The Project does not include any specific development designs or proposals, nor does it grant any entitlements/or development that would adversely affect paleontological or unique geological features. All future residential development occurring within the Town pursuant to the Project would be required to comply with local regulations, including General Plan program OCEI-20, which requires work to immediately stop should any artifacts be discovered during construction. Impacts from the Project would be less than significant.

## 8. Greenhouse Gas Emissions

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions greenhouse gases? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

In 2006, the California State Legislature passed the California Global Warming Solutions Act (AB 32), which requires public agencies in California to support the stateside goal of reducing greenhouse gas (GHG) emission to 1990 levels by 2020. In 2016, the State legislature adopted Senate Bill (SB) 32, which requires further reduction of GHG emissions to 40 percent below the 1990 level by 2030. In addition, Executive Order S-3-05 set a GHG reduction goal of 80 percent below 1990 levels by 2050.

*a-b) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions greenhouse gases?*

**Less Than Significant.** The Town of Paradise does not have a local GHG emission reduction plan, but the General Plan does include policies to increase energy efficiency (e.g., OCEG-10, OCEP-39). Future residential development related to the Project could result in an increase in GHG emissions from construction (e.g., operation of on-site heavy construction equipment, off-site construction vehicle trips) and operation (e.g., direct and indirect combustion of fossil fuels for generation of heat and electricity, decomposition of solid waste, wastewater treatment).

As previously discussed, in almost all cases, the sites identified for future residential development to accommodate the RHNA were previously developed with housing and almost the entirety (95 percent) of the Town's RHNA was assigned to rebuild units lost in the Camp Fire. The potential increase in GHG emissions due to construction and operation of residential units would be comparable to pre-fire emissions. New units replacing destroyed units would be more energy efficient than previous residences given improved technologies and fixtures and updated requirements. The majority of the Town's housing stock pre-fire was built between 1951 and 1970. New construction to replace the destroyed homes would be required to comply with Title 24 Building Energy Efficiency Standards and Green Building Standards. The Title 24 energy standards became effective January 1, 2020 and include residential building standards

related to energy efficient lighting, HVAC systems, walls, water heating, and attics.<sup>4</sup> According to the California Energy Commission, carbon dioxide (CO<sub>2</sub>) emissions will be reduced by 700,000 metric tons during the three-year cycle of these energy standards.<sup>5</sup>

Furthermore, the Project also includes policies and programs to further reduce the energy consumption of future residential households by increasing awareness of building methods and materials that increase resiliency (SP-53, SI-23), assisting low-income households to perform energy improvements (SI-2, SP-73, HI-20), and providing incentives for efficient air conditioning or cooling (SP-24, SI-9). The Project also includes policies to increase the use of low-water-use, drought-tolerant plant species in parks and private development (SP-51).

The Town's ongoing recovery has emphasized increased walkability. The construction of a transit center and grade-separated multi-use bicycle and pedestrian pathways along key evacuation routes are two planned multi-modal transportation improvements included in the Town's list of disaster recovery projects. The Paradise Transit Center is a shovel-ready project seeking construction funding and the multi-modal pathway is currently in the planning phase as part of the Transportation Master Plan. The Project builds on the Town vision for increased walkability. The Project seeks to incentivize multi-family development near services and create a more walkable pattern of development through the SSA zoning overlay. Such policies could reduce GHG emissions by encouraging use of public transit, walking, and biking as alternatives to private vehicles and by creating trip internalization.

For the reasons outlined above, the Project is consistent with the Town of Paradise General Plan energy goals, AB 32, and State's GHG reduction goals. Potential impacts on GHG emissions would be less than significant.

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<sup>4</sup> Title 24 also requires rooftop solar installations, but Assembly Bill 178 (2019) exempts those rebuilding after wildfires are exempt from this requirement if they rebuild before January 1, 2023.

<sup>5</sup> California Energy Commission. Frequently Asked Questions – 2019 Building Energy Efficiency Standards. Available at [https://www.energy.ca.gov/sites/default/files/2020-06/Title24\\_2019\\_Standards\\_detailed\\_faq\\_ada.pdf](https://www.energy.ca.gov/sites/default/files/2020-06/Title24_2019_Standards_detailed_faq_ada.pdf). Accessed on November 16, 2021.

## 9. Hazards and Hazardous Materials

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the Project area? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

*a-c) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school?*

**Less Than Significant.** Operations of future residential development does not typically include the routine transport, use, or disposal of hazardous materials. Any future development projects that do have the potential for using or containing hazardous substances or materials must be reviewed by the Butte County Environmental Health Department for compliance with applicable state and local regulations. The department, which is the Certified Unified Program Agency

(CUPA) for all cities and unincorporated areas in Butte County, is responsible for consolidating, coordinating, and making consistent the administrative requirements, permits, inspections, and enforcement activities of State programs regarding the transportation, use, and disposal of hazardous materials in Butte County. All land uses that handle or store hazardous materials are subject to inspections by the Environmental Health Department, which ensure compliance with State and federal laws intended to prevent potential hazards to the public and the environment.

Moreover, the Project includes policies and programs to facilitate the safe and effective management of hazardous wastes, including the identification of preferred transportation routes for hazardous wastes (SP-22), reduction of waste incentive programs, (SI-7) and community education on proper hazardous waste disposal (SI-15). Such programs could reduce risk and damages related to hazardous materials. Impacts from the Project would be less than significant.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Less Than Significant.** The Town of Paradise has one case that is listed as open on the State Water Resources Control Board GeoTracker website. The case is related to a 500-gallon underground storage tank discovered during Camp Fire debris removal southeast of the Clark Road/Cypress Lane intersection. Although the tank has been removed, the case is under investigation and kerosene is the potential contaminant of concern. The hazardous waste site (1620 Cypress Lane) is zoned for Community Services, is outside the SSA, and is not identified as a site for future residential development to accommodate the RHNA. There are sites identified for residential development near the hazardous site though, and it is possible that development under on those sites could locate residential development on a site impacted by hazardous materials listed on the Cortese list. All development pursuant to the Project would be reviewed against local, State, and federal regulations and cleaned up to residential use standards in conjunction with development of the site. As mentioned above, the Project includes policies and programs that could reduce risk and damages related to hazardous materials. Impacts from the Project would be less than significant.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

**No Impact.** The Paradise Skypark Airport is a privately-owned, public use airport located south of the Town limits. Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that present collision hazards and radar interferences. Land uses around airports are subject to the limitations established by the Airport Land Use Commission through the adoption of Airport Land Use Compatibility Plans. The Butte County Airport Land Use Compatibility Plan provides compatibility criteria for use by local jurisdictions in review of proposed development. There are



a few parcels identified in the Project for single-family rebuilds/new construction in the Airport Compatibility Zone and a few parcels in the SSA identified in the Project for medium-density multi-family residential development in the Airport Influence Zone.

As discussed under a-d) above, the Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. The development of future housing pursuant to the Project would be required to comply with CEQA and the Town's environmental review regulations and would be checked for compliance with the Butte County Airport Land Use Compatibility Plan. This is consistent with policy and programs (e.g., SP-29, SI-12) of the Safety Element update. There would be no impacts from the Project.

f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

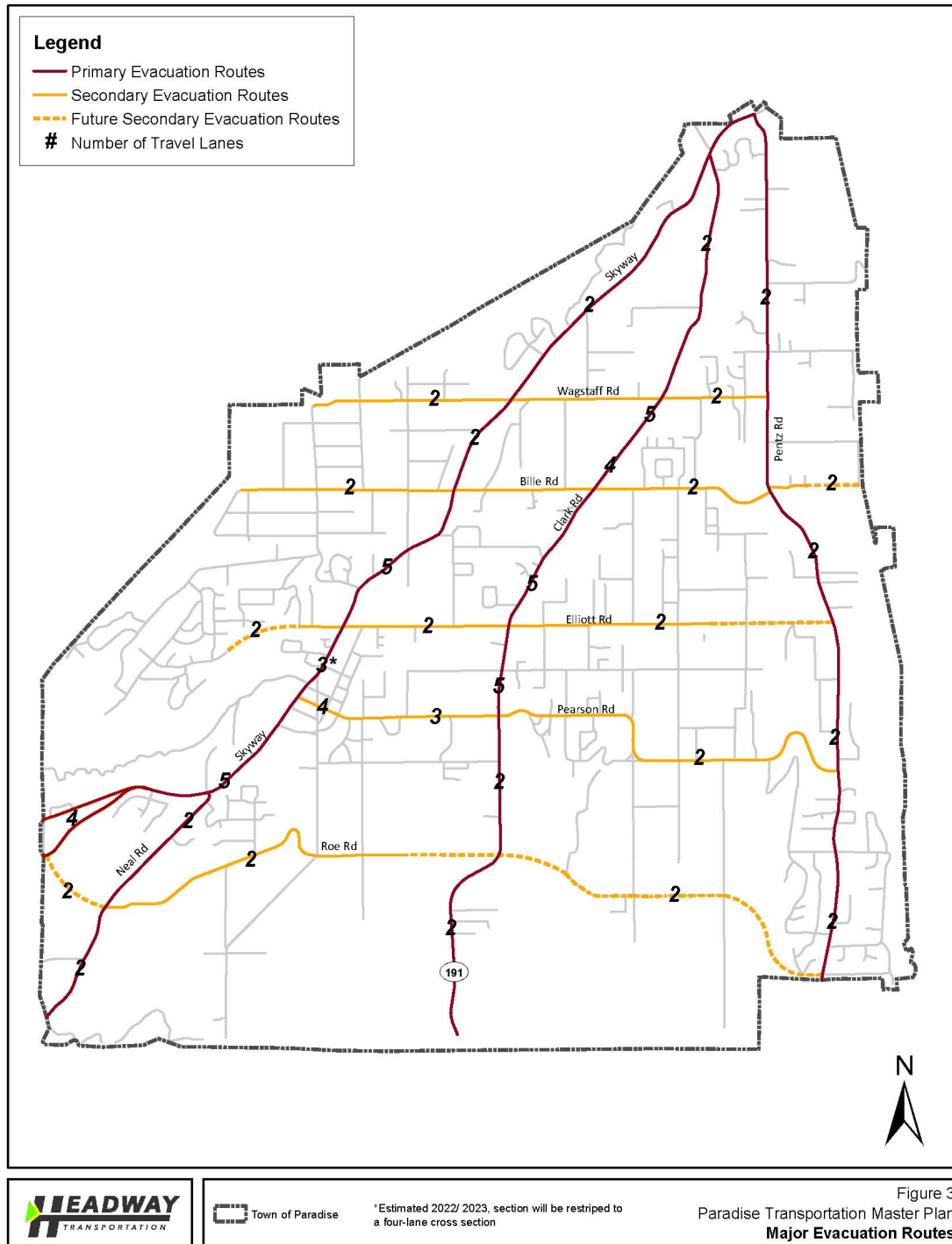
**Less Than Significant.** The Town of Paradise Emergency Operations Plan (EOP) (November 2011) addresses the Town's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting the Town of Paradise. The EOP establishes the emergency management organization required to mitigate any significant emergency or disaster and identifies the roles and responsibilities required to protect the health and safety of Paradise residents and public and private property. The EOP also establishes the operational concepts associated with a field response to emergencies, the Town of Paradise Emergency Operations Center (EOC) activities, and the recovery process. The goals of the EOP are to mitigate hazards, meet basic human needs, address needs of people with access and functional needs, restore essential services, and support community and economic recovery. Future housing development pursuant the Project would not interfere with the EOP. Furthermore, the Safety Element would facilitate implementation of the EOP by working to mitigate hazards and increase public awareness around emergency preparedness, consistent with the EOP goals.

As shown in Figure 3, the main evacuation routes in Paradise are along Skyway, Clark Road, and Pentz Road. Each of these roads runs north-south and secondary evacuation routes run east-west to connect residents to these roads. Specific evacuation routes will vary depending on the emergency's location, direction, and rate of spread. As shown in Figure 4, the town is split into 14 evacuation zones. The zones allow officials to designate specific areas for evacuation advisories based on the emergency. The Town also has four designated assembly points. Assembly points are used to gather evacuees for immediate safety in situations where evacuation routes are not accessible or residents need assistance evacuating.

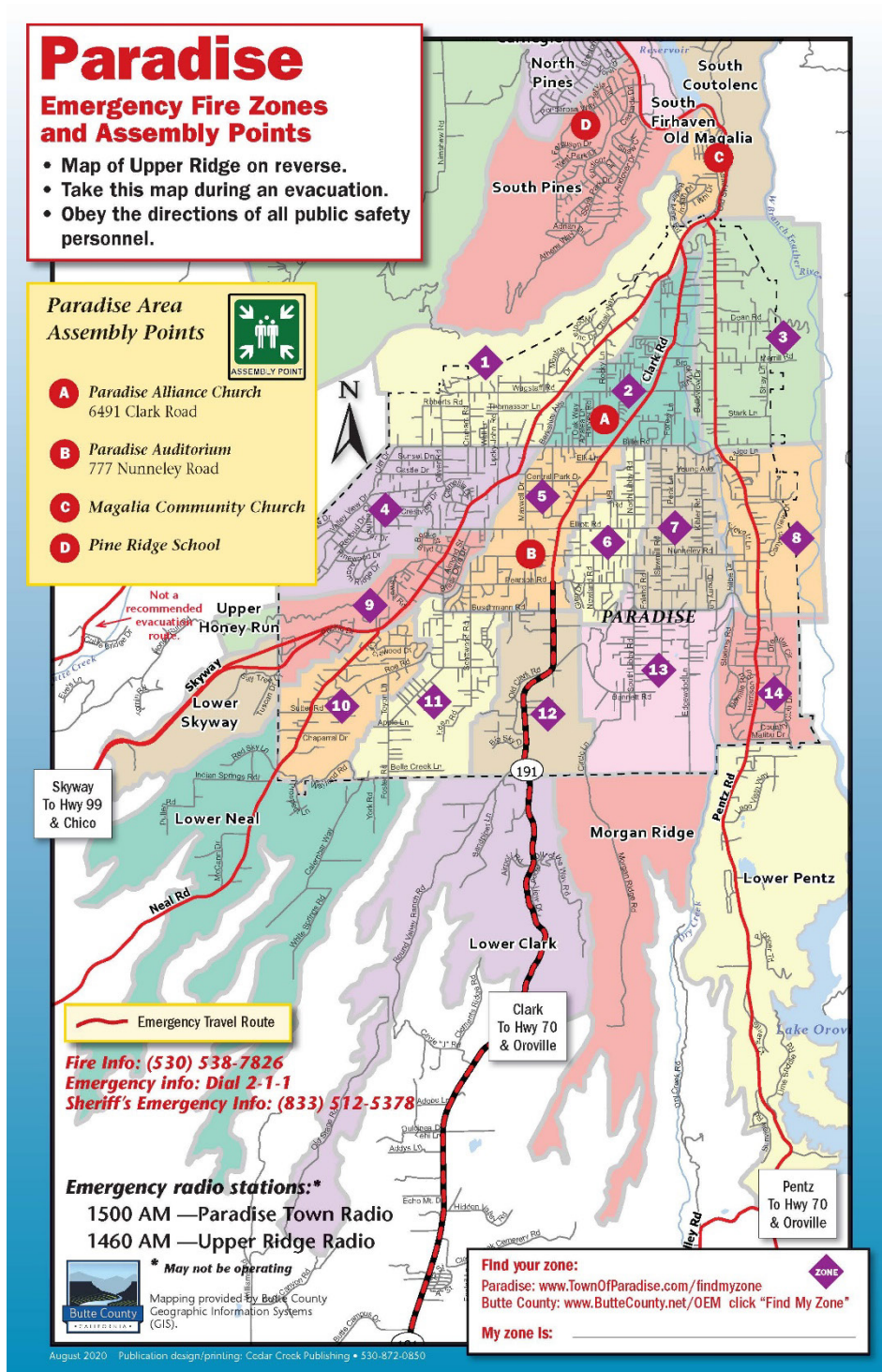
In addition, the Town's Transportation Master Plan (TMP) was developed in response to the Camp Fire and includes analysis and recommendations related to local road safety, evacuation planning, parking, and circulation/roadway improvements. The TMP provide recommendations related to emergency and traffic control plans; public-facing evacuation literature, websites, and maps; transportation improvements to address serious injury and fatal crashes and increase evacuation capacity; multi-agency coordination and agreement recommendations to facilitate an

evacuation beyond the Town limits; and contraflow travel and controls during emergency events. Figure 3 shows the planned roadway improvements to repair damage from the Camp Fire and improve evacuation operations.

**Figure 3**      **Evacuation Routes**



Source: Town of Paradise and Headway, 2021.

**Figure 4**      **Evacuation Zones**

Source: Town of Paradise, 2022.

Finally, the Butte County Local Hazard Mitigation Plan (LHMP) also provides guidance on evacuation and emergency response. A component of Goal 4 of the LHMP is to “improve communities’ circulation, ingress and egress, and primary and secondary evacuation routes during disasters.” The LHMP identifies several high-priority actions relative to evacuation, including Action 4 to outfit Sheriff patrol cars with special sirens to be used during evacuation, Action 6 to develop a Butte County Fairground Emergency Shelter Operation Plan to improve operation of the fairground as an emergency evacuation shelter, Action 8 to expand the capacity of the Butte County Fairground to shelter more evacuees, and Actions 12 through 15 to make improvements to Cohasset Road, Concow Road, Skyway, Neal Road, Pentz Road, Hone Run Road and Centerville Road. The LHMP was adopted in 2019 and is annually reviewed by the Butte County Office of Emergency Services. The Project incorporates by reference the LMP and would facilitate, not impair, implementation of the LHMP.

The Project identifies parcels throughout the town as locations for potential future residential development to accommodate the RHNA. All sites would be located within one of the Town’s existing evacuation zones and future development pursuant to the Project would not physically interfere with the Town’s existing evacuation plans and policies nor with the improvements identified in the TMP. Instead, the Project facilitates smoother evacuation procedures by including programs and policies to cluster development and critical services in areas near evacuation routes; discourage development with poor evacuation access (SP-5, SP-30, SP-41); and provide education on emergency response and evacuation plans (SI-16), including evacuation simulations (SP-43, SI-19). Development in areas that is not as well-served by evacuation routes would be disincentivized through an impact fee or overlay zone (SP-46) and the Town would prohibit any increase of existing residential density on parcels that are served access by either an existing or resultant cul-de-sac exceeding a maximum length of 1,800 lineal feet (SI-19). Similarly, development of critical facilities in wildfire risk reduction buffers would be prohibited (SI-13).

The Project’s programs and policies are consistent with the EOP, Town evacuation plans, draft TMP (scheduled for review and adoption by the Town Council May 10, 2022), and LHMP. For these reasons, the Project would have a less-than-significant impact related to impairing or interfering with emergency response and evacuation.

g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

**Less Than Significant.** Wildfires are a major hazard in Butte County and in the State of California. Wildland fires burn natural vegetation on developed and undeveloped lands and include timber, brush, woodland, and grass fires. While low intensity wildfires have a role in the ecosystem, wildfires put human health and safety, structures (e.g., homes, schools, businesses), air quality, recreation areas, water quality, wildlife habitat and ecosystem health, and forest resources at risk. Wildland fire hazards exist in varying degrees over approximately 70 percent of Butte County. The highest wildfire risk to human health and safety occurs in the

foothill communities, including in Paradise. This area is considered a wildland-urban interface (WUI). Fires that occur in the WUI affect natural resources as well as life and property. During the past decade, Butte County has experienced several large and damaging wildfires in and around the wildland-urban interface areas, including Paradise. In November 2018, Paradise and some surrounding areas in Butte County faced one of the most destructive wildfires in California history. This fire, known as the 2018 Camp Fire, resulted in the loss of 85 lives, nearly 19,000 structures, the burning of more than 150,000 acres over two weeks, and \$9 billion in insurance claims. It took less than six hours for the Camp Fire to destroy over 90 percent of Paradise. The vast majority of the town is identified by CAL FIRE as a very high fire hazard severity zone (VHFHSZ).

The Project identifies parcels throughout the town as locations for potential future residential development to accommodate the RHNA, including sites that are in the VHFHSZ. Future development would expose people or structure to wildland fire risk. However, the Project includes policies and programs to reduce fire risk, including but not limited to the creation of Wildfire Risk Reduction Buffers, the clustering of development in the SSA where it is flatter and easier to evacuate, establishment and enforcement of fuels management programs and education, analysis and potential implementation of more stringent fire-resistant building requirements, and implementation of community-wide evacuation drills. Such policies and programs would reduce the risk of loss, injury, or death due to wildfire.

As discussed above, the Project is a policy-level document that does not propose any specific development designs or proposals, nor does it grant any entitlements for development. Potential wildland fire impacts to subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Future development in the WUI would also be subject to applicable California Building Code and Board of Forestry requirements for development in the VHFHSZ. For these reasons, this impact is considered less than significant.

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## 10. Hydrology and Water Quality

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: |                                |  |                                     |                                     |
| i. Result in a substantial erosion or siltation on- or off-site;   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv. impede or redirect flood flows?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| a) <i>Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</i>  |                                |  |                                     |                                     |

**Less Than Significant.** Paradise is within the jurisdictional boundaries of the Central Valley Regional Water Quality Control Board (RWQCB), one of nine regional boards in the state. The Central Valley RWQCB develops and enforces water quality objectives and implementation plans that safeguard the quality of water resources in its region.

Future residential development under the Project could result in both construction and operational impacts to water quality and discharge standards. Potential operational impacts include the use of fertilizers, herbicides, and pesticides to maintain lawns, as well as motor vehicle operation and maintenance. Potential construction impacts include grading and vegetation removal activities that would result in the exposure of raw soil materials to the natural elements (wind, rain, etc.). All future residential development occurring in the town would be required to comply with all applicable regulations, including the requirements of the National Pollutant Discharge Elimination System (NPDES) Stormwater Permits enforced by the RWQCB. The NPDES permits require water quality and watershed protection measures for all development projects and prohibit discharges that would violate applicable water quality standards or result in conditions that create a nuisance or water quality impairment in receiving waters. Project construction contractors are also required to prepare a stormwater pollution prevention plan (SWPPP) pursuant to RWQCB standards and subject to RWQCB review and approval. The SWPPP must include measures to reduce or eliminate erosion and runoff into waterways during construction.

The Town of Paradise is the largest unsewered incorporated community in California. Wastewater treatment facilities in Paradise consist of privately owned septic tanks and soil absorption disposal systems known as leach fields, together with several engineered subsurface disposal systems serving commercial and institutional facilities. The Project includes a program (HI-1) to continue planning for a sewer system and to provide education to property owners and other stakeholders as planning continues. Program HI-5 would create a zoning overlay to allowed increased densities in the SSA. The Paradise Sewer Project is undergoing its own CEQA review (an EIR began in fall 2020) and the Project under review in this CEQA document does not propose to construct, nor does it require the construction of, such a sewer system. All future housing would be required to comply with the Town's wastewater regulations, including the determination of whether a project site's soils could support a septic system or other type of wastewater disposal. If groundwater is present anywhere on the subject parcel for development, the Town requires soils testing to determine whether an alternative wastewater is necessary. The test holes are dug in the presence of the Town's Onsite Sanitation Division Onsite Official. Water quality is reviewed for contamination through creek and groundwater monitoring performed by the Onsite Division.

For the reasons discussed above, the Project would have a less than significant impact on water quality.

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

**Less Than Significant.** The primary source of water in Paradise is treated surface water from Magalia Reservoir and Paradise Reservoir. Groundwater supplies make up only a very small portion of the potable water supplies used to serve Paradise. Groundwater is therefore not



anticipated to be impacted by future development pursuant to the Project and impacts would be less than significant.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
  - i. *result in a substantial erosion or siltation on- or off-site;*
  - ii. *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*
  - iii. *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*
  - iv. *impede or redirect flood flows?*

**Less Than Significant.** The Project identifies sites for future potential housing development and encourages a range of housing types at varying affordability levels. The Town has adequate vacant land that was previously developed and destroyed in the Camp Fire to accommodate its RHNA. If development of housing were to occur in previously undeveloped areas, increased impervious surfaces and grading and vegetation removal activities could increase surface runoff and potentially contribute to the potential for localized flooding and/or erosion. Future residential development in the town would be required to comply with NPDES stormwater permit requirements, California Building Code, and Town requirements related to erosion and drainage (e.g., Paradise Municipal Code Sections 8.56.130 - *Watercourse protection* and 17.06.800 - *Slope limitations*). Finally, the Project includes policies and programs to reduce the risks related to localized flooding (e.g., SI-6, SP-27), including a policy to update the Storm Drain Master Plan. Impacts from the Project would be less than significant.

- d) *In flood hazard, tsunami, or seiche zones, risk release pollutants due to project inundation?*

**No Impact.** Paradise's location on a ridge makes it less susceptible to flooding and it does not have any designated flood hazard areas as depicted on the Federal Emergency Management Agency (FEMA) Digital Flood Insurance Rate Map (DFIRM). The entire Town of Paradise is located outside both the 1 percent and 0.2 percent annual chance flood zone as defined by FEMA. It is not located near any ocean, coast, or seiche hazard areas. Any flooding that occurs is localized in nature, resulting from a temporary lack of capacity or blockage of a drainage basin. According to the Butte County Local Hazard Mitigation Plan, dam failure is unlikely in Paradise and limited in severity. The Paradise Dam north of the town is considered an Extremely High Hazard dam for inundation, but the inundation area is completely outside of the Town limits.

The Project includes policies and programs to reduce the risks related to localized flooding (e.g., SI-6, SP-27).

- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Less Than Significant.** The Central Valley Regional Water Quality Control Plan (Basin Plan) is the water control plan for Paradise's hydrologic area. The Basin Plan identifies objectives and implementation measures to protect water quality in the RWQCB's jurisdiction. Any future residential development identified within a water quality control or sustainable ground water management plan area would be required to follow it. Impacts from the Project would be less than significant.

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## 11. Land Use and Planning

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact                        |
|--|--------------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                      |  |                                     |                                     |
| a. Physically divide an established community?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

a) *Would the project physically divide an established community?*

**No Impact.** The parcels identified by the Project for future potential development to accommodate the Town's RHNA are scattered throughout the town and intermixed with existing residential and mixed-use neighborhoods. The Project does envision denser development in the SSA where wastewater constraints would dissipate with the sewer system, but the SSA stretches through the majority of town and multi-family development is still envisioned and allowed outside of the SSA using clustered wastewater alternatives. The Project would not physically divide an established community. No impact would result from the Project.

b) *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**Less Than Significant.** The Housing Element proposes changes to the existing Municipal Code and Zoning Map, including 12 sites to rezone and the creation of a new zoning overlay. Table 2 shows the sites in the SSA identified for rezoning. These sites were selected for a rezoning because either 1) the landowner does not have plans to rebuild the destroyed previous use and therefore new uses that leverage the site's position in the SSA are an opportunity to meet the Town's housing goals or 2) the previous, pre-fire use was non-conforming and the rezoning enables the previous use to return more easily. All sites in Table 3 would require an amendment to their General Plan Land Use designation in addition to rezoning.

**TABLE 3 SEWER AREA REZONING**

| APN             | Address                | Acreage | Current General Plan | Proposed General Plan | Current Zoning | Current Allowed Density | Proposed Zoning | Proposed Density |
|-----------------|------------------------|---------|----------------------|-----------------------|----------------|-------------------------|-----------------|------------------|
| 052-080-084-000 | Luther Dr              | 0.23    | TR                   | C-S                   | TR 1/3         | 2                       | CS              | 20 du/ac         |
| 052-080-083-000 | 805 Luther Dr          | 0.48    | TR                   | C-S                   | TR 1/3         | 2                       | CS              | 20 du/ac         |
| 052-080-090-000 | 806 Luther Dr          | 0.53    | TR                   | C-S                   | TR 1/3         | 2                       | CS              | 20 du/ac         |
| 052-080-089-000 | 804 Luther Dr          | 0.52    | TR                   | C-S                   | TR 1/3         | 2                       | CS              | 20 du/ac         |
| 052-080-069-000 | 784 Luther Dr          | 0.31    | TR                   | C-S                   | TR 1/3         | 2                       | CS              | 20 du/ac         |
| 052-191-009-000 | 3851 Honey Run Rd      | 0.68    | RR                   | CC                    | RR 1/2         | 2                       | CB              | 30 du/ac         |
| 052-193-017-000 | 3858 Honey Run Rd      | 2.45    | TR                   | CC                    | TR 1/3         | 2                       | CB              | 30 du/ac         |
| 053-080-038-000 | 100 Brookwood Cir      | 0.51    | TR                   | TC                    | TR 1/3         | 2                       | CC              | 30 du/ac         |
| 053-111-034-000 | 931 Elliott Road       | 4.35    | CS                   | M-R                   | CS             | 0                       | MF              | 30 du/ac         |
| 052-204-001-000 | 5680 Black Olive Drive | 0.29    | PI                   | C-C                   | CF             | 1 du/ac                 | CB              | 30 du/ac         |

Source: Town of Paradise, 2021.

Increased density in the SSA and other related policy changes are consistent with the General Plan, which includes an assumption that “a sewer system may be constructed” during the life of the General Plan and objective LUO-10 to “consider the construction and installation of a formal sewer system to service the commercial and industrial areas in the town.” The concentration of density along the Town’s main arterials going through the middle of town – where the town tends to be flatter and closer to evacuation routes, where traffic can be better accommodated, and where infrastructure constraints for wastewater would be alleviated with a potential sewer system – is consistent with the General Plan’s guiding principal to use environmental and infrastructure constraints to determine future zoning classifications and with General Plan policies and programs (e.g., LUP-2, LUP-19, LUP-45, LUP-48). Allowed increased density in the

SSA to provide more opportunity for affordable housing and different types of housing is consistent with the General Plan's policies to encourage a range of residential densities sufficient to meet the needs of residents (e.g., LUG-13, LUG-17).

Although the Project requires amendments to the General Plan and zoning map, these changes are not CEQA impacts in and of themselves. Instead, the proposed changes are consistent with the principal of using environmental and infrastructure opportunities and constraints to determine land uses and intensities. The potential future housing on these sites would also be consistent with surrounding uses. The Project is consistent with the General Plan and would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts from the Project would be less than significant.

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## 12. Mineral Resources

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>Would the project:</b>   |                                      |  |                                    |                                     |
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| a-b) <i>Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?</i> |                                      |  |                                    |                                     |

**No Impact.** The proposed sites identified to satisfy the RHNA are located within already established communities and/or neighborhoods where no known mineral resource would be foregone by possible residential development. The Town of Paradise is not classified by the Department of Conservation as having any Mineral Land Classification.<sup>6</sup> The Project would have no impact on mineral resources.

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<sup>6</sup> California Department of Conservation, 2021. CGS Information Warehouse: Mineral Land Classification. Available at <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>. Accessed on November 12, 2021.

### 13.Noise

| Would the project result in:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| a-b) <i>Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? Generation of excessive ground borne vibration or ground borne noise levels?</i> |                                |  |                                     |                                     |

**Less Than Significant.** Project implementation could indirectly facilitate the construction of new housing in the future. The primary sources of noise associated with new housing development and operation are construction noise (short-term) and increased noise from vehicle traffic (operational). Housing is not typically considered a major source of noise, but new residential construction would generate temporary short-term sources of noise that would be subject to the Town's allowable construction time periods. Increases in noise associated with vehicle traffic would be relatively minor, as the majority of the new residential development anticipated over the life of the Housing Element would be spread throughout the town. The Project does include policies related to infrastructure improvements, but these larger projects, including the Paradise Sewer Project, are independent of the Housing and Safety Element Updates and subject to their own CEQA review. Similarly, individual housing projects build under the Project would be subject to individual CEQA review, and a determination of potential noise impacts, and mitigation measures (if needed) would be identified. Future construction and operation would also be subject to the Town's General Plan policies and Noise Ordinance, including noise performance standards and community noise exposure compatibility. Impacts from the Project would be less than significant.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**No Impact.** The nearest airport to the Town is the Paradise Skypark Airport. Development within the vicinity of the Paradise Skypark Airport is subject to the rules and requirements of the Butte County Airport Land Use Compatibility Plan, which restricts residential development within the airport overflight zones and within certain noise contour boundaries. Future development will be reviewed against the Airport Land Use Compatibility Plan and subject to CEQA. The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. The Project would have no impact.

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## 14. Population and Housing

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact                        |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project:</b>   |                                      |  |                                     |                                     |
| a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less Than Significant.** The Project contains goals, policies, and program to encourage housing to meet Paradise's housing needs and would therefore accommodate growth rather than induce it. The 2022-2030 RHNA for the Project's planning period is 7,179 units. The vast majority of the Town's RHNA (95 percent) was allocated to rebuild and recovery from the Camp Fire; only 5 percent of the Town's RHNA is to accommodate regional growth. The Project identifies land suitable to accommodate the RHNA and establishes policies and programs to ensure safe and decent housing. Future residential development in the town would be required to comply with local regulations and CEQA. Impacts from the Project would be less than significant.

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The population of Paradise remained relatively constant, within a few hundred people, between 2000 and 2018. The Town was projected to reach a population of 29,547 by 2030, a growth rate of less than 1 percent per year, which is about half as much growth as was expected for Butte County. However, according to California Department of Finance estimates, the 2018 Camp Fire led to a population decrease from 26,581 as of January 1, 2018 to 4,474 as of January 1, 2019. Population has since increased to 6,046 as of January 1, 2021.

As mentioned above, almost the entirety of the Town's RHNA is to rebuild housing for those who lost their homes in the Camp Fire. The Project includes policies and programs to facilitate recovery and allow residents who have been displaced to return. The sites identified for residential development are all vacant properties or underutilized commercial properties. The realization of development of the sites identified to satisfy the RHNA would therefore not displace existing housing or create a situation where replacement housing would be necessary.

The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. There would be no impact.

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## 15. Public Services

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>  |                                      |  |                                     |                          |
| a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:   |                                      |  |                                     |                          |
| 1. Fire Protection?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Police Protection?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Schools?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Parks?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Other public facilities?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?</i> |                                      |  |                                     |                          |

The following section addresses the project's potential effects on: fire service, police service, schools, parks, and other public facilities. Impacts to public services would occur if the project increases demand for services such that new or expanded facilities would be required, and construction or operation of these new facilities would cause environmental impacts.

### Fire Protection

**Less Than Significant.** The Town of Paradise and CAL FIRE provide fire protection services through a cooperative agreement. By contracting with CAL FIRE, the Town is able to staff two fire stations with three-person engine companies, and one station with a two-person engine company. In addition to the Town's resources, CAL FIRE maintains their own stations in Paradise and the neighboring community of Magalia. These resources are available to assist with the Town's fire protection efforts as necessary.

The Paradise General Plan establishes a standard of a five-minute response time for 90 percent of all emergency incidents within Town limits. According to Cal FIRE, this standard is typically met, and the average response time in Paradise is four to six minutes.

The Project does include a program to establish an overlay zone in the SSA that allows densities up to 30 dwelling units/acre, which is a higher intensity of development than the Town has previously seen. However, projects on these sites would be subject to CEQA review on a case-by-case basis following submittal of a specific development proposal and future development would comply with local regulations on emergency access. The Project only identifies sites for high density when the site is well-served by evacuation routes and does not have constrained access. The Project also includes policies and programs to ensure adequate emergency access (e.g., SI-11, SP-41, SI-19), maintain response times (e.g., SP 12, SP-13), and reduce fire severity and intensity (SG-5). Finally, the area of town identified for higher density development (i.e., the Sewer Service Area) is concentrated near the Paradise Fire Station #81. The concentration of multi-family units around this station would allow quick response times and reduce potential concerns from CAL FIRE related to call stacking.<sup>7</sup> According to CAL FIRE, the current automatic aid agreement is sufficient to handle the Town's RHNA and increased population as the Town continues to rebuild, and the existing service delivery model is anticipated to accommodate buildout of the Project over the next eight years.<sup>8</sup>

The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. The projected population increase resulting from housing production envisioned under the Project would bring the Town back to pre-fire levels that were historically accommodated by services. For the reasons explained above any impacts would be less than significant.

## Police Protection

**Less Than Significant.** The Paradise Police Department (PPD) currently has 19 employees, including 1 chief, 2 lieutenants, 5 sergeants, and 11 officers. PPD currently has 14 volunteer staff members as well, who assist with staffing the front counter, conducting live scan fingerprinting, conducting vacation home checks, deploying the speed display radar trailer, and assisting with traffic control for incidents and/or special events. PPD is also actively trying to fill current staff vacancies.

Patrol operations is the largest of the five units, with 11 authorized sworn patrol officers and 5 sergeants. Patrols provide 24/7 service every day of the year. Patrol personnel are the first responders to routine calls and crimes that are in progress. The Paradise Police Department is currently contracting 9-1-1 emergency and non-emergency dispatch services with the Butte County Sheriff's Office. PPD does not have a target officer ratio or established response time

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<sup>7</sup> Manson, Rick, Butte County Fire Chief, Cal Fire and Butte County Fire Department. 2021. Personal communication with Urban Planning Partners. March 31.

<sup>8</sup> Ibid.

goals. Instead, PPD bases their response to meet the needs of a particular call for service. Officers are assigned to calls for service depending on level of priority and staff availability. The average emergency response time is just over five minutes, and the average non-emergency response time is just over seven minutes.<sup>9</sup>

The Project does include a program to establish an overlay zone in the SSA that allows densities up to 30 dwelling units/acre, which is a higher intensity of development than the Town has previously seen. However, projects on these sites would be subject to CEQA review on a case-by-case basis following submittal of a specific development proposal. The SSA is centered on the Town's major roads – Skyway and Clark Road – and therefore the denser projects envisioned under the Project would be more easily accessible to emergency services. The Project only identifies sites for high density when the site is well-served by evacuation routes and does not have constrained access. The housing production envisioned under the Project would bring the Town back to pre-fire population levels that were historically accommodated by services. PPD uses calls for service and crime rates to monitor staffing needs and, independent of the Project, will be tracking and adapting their operations as population returns. PPD anticipates that their current model and facilities will carry them into the future and the buildout of the Project would not require new facilities.<sup>10</sup> PPD estimated that current facilities could last up to another 20 years and has actively maintained their equipment to stay up to date on trends and to ensure their employees have the necessary tools to do their jobs. Potential impacts to police protection services would therefore be less than significant.

## Schools

**Less Than Significant.** The Paradise Unified School District (PUSD) currently serves approximately 3,500 students across three elementary schools, one middle school, two high schools, and one online learning academy. Due to the 2018 Camp Fire, multiple school sites are undergoing improvements, supported by local Measure Y, which will expand and improve the current school infrastructure. There are presently adequate busses for each school site. The Paradise Unified School District has approved a Facilities Master Plan Update, which was revised in 2020 following the Camp Fire. Phase One of this plan, which involves renovation of the existing high school and the addition of another high school, is expected to begin in 2023. The growth envisioned in the Master Plan Update is consistent with the Town's current rate of rebuilding and with the buildout anticipated under the Project.<sup>11</sup>

The Project does include a program to establish an overlay zone in the SSA that allows densities up to 30 dwelling units/acre, which is a higher intensity of development than the Town has previously seen. However, housing production envisioned under the Project is largely to rebuild

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<sup>9</sup> Reinbold, Eric, Chief of Police, Paradise Police Department. 2021. Personal communication with Urban Planning Partners. November 3.

<sup>10</sup> Reinbold, Eric, Chief of Police, Paradise Police Department. 2022. Personal communication with Urban Planning Partners. March 31.

<sup>11</sup> David McCreedy, Assistant Superintendent, Business Services, Paradise Unified School District. 2022. Personal communication with Urban Planning Partners. April 4.

units lost to the Camp Fire. The Project would help facilitate residents' return to Paradise and the Project would bring the Town back to pre-fire population levels that were historically accommodated by services, including school services. PUSD currently has extra capacity and based on the Facilities Master Plan, has the ability to accommodate future population from development associated with the Project. Therefore, impacts to schools are less than significant.

## Parks

**Less Than Significant.** The Town of Paradise is located within the Paradise Recreation and Park District (PRPD), which serves over 50,000 individuals in the Town of Paradise and some surrounding areas within Butte County. The PRPD maintains 73 acres of developed park land and another 358 acres of natural open space. The Town of Paradise residents have complete access to facilities, programming, and special events.

The Project does include a program to establish an overlay zone in the SSA that allows densities up to 30 dwelling units/acre, which is a higher intensity of development than the Town has previously seen. However, projects on these sites would be subject to CEQA review on a case-by-case basis following submittal of a specific development proposal. Furthermore, the housing production envisioned under the Project is largely to rebuild units lost to the Camp Fire. The Project would help facilitate residents' return to Paradise and the Project would bring the Town back to pre-fire population levels that were historically accommodated by services, including parks services. Finally, the Project includes additional Open Space provisions for wildfire buffers. The implementation of the wildfire buffers would increase the open space facilities available to the community.

Independent of the Project, the PRPD is planning for new recreation centers, community parks, trails, and improved access to existing park land, as well as rebuilding of park facilities following the Camp Fire. Development under the Project would not result in a need for new or physically altered facilities, the provision and/or construction of which would result in a significant impact to the environment.<sup>12</sup>

## Other Public Facilities

**Less Than Significant.** Development of the Project could also increase demand for other public services, including libraries and community centers. However, the increased residential population that would result from the Project would not substantially increase the use of these facilities beyond how they were used prior to the fire, such that new facilities would be needed to maintain service standards, as these facilities are not currently overused. The Paradise Branch of the Butte County Library is currently operating with less staff and fewer hours than pre-fire levels given the decrease in population since the fire. As the population grows, the library would like to increase their staffing and operations; upon implementation, the Project

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<sup>12</sup> Efseaff, Dan, District Manager, Paradise Recreation & Park District. 2021. Personal communication with Urban Planning Partners. December 6.

may result in increased demand that could require additional library staffing and programming, which is determined by Butte County on an as-needed basis. The library utilizes gate counts, program attendance rates, and counts of checked out items to determine when greater programming or staffing is needed. The provision of additional staff or extending library hours or programs would not have a substantial adverse physical impact on the environment. In fact, the Paradise Library is currently considering expansion of the “Open Plus System” to allow remote access to library services outside of regular hours with a library card. Such solutions would allow increased operations without affecting staffing or facilities. The Paradise Library has adequate physical capacity to accommodate the return of population to pre-fire levels, including population growth associated with the Town’s RHNA.<sup>13</sup> Therefore, impacts to other public facilities would be less than significant.

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<sup>13</sup> Sufi, Narinder. Butte County Librarian, Butte County Library. 2022. Personal Communication with Urban Planning Partners. March 30.

## 16. Recreation

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>   |                                      |  |                                     |                          |
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?        | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                               | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</i> |                                      |  |                                     |                          |

**Less Than Significant.** The Town of Paradise is located within the Paradise Recreation and Park District (PRPD), which serves over 50,000 individuals in the Town of Paradise and some surrounding areas within Butte County. The PRPD maintains 73 acres of developed park land and another 358 acres of natural open space. The Town of Paradise residents have complete access to facilities, programming, and special events.

The Project would not increase the use of existing recreational facilities because most of the housing units to accommodate the Town's RHNA would be replacing units lost in the Camp Fire. Pre-fire population levels were historically accommodated by services, including parks services. As previously mentioned, the Project also has the potential to increase the amount of open space/recreational space available to residents because it includes policies and programs to explore establishing open space wildfire buffers in key locations. Impacts from the Project would be less than significant.

b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**Less Than Significant.** The Project does not require the construction or expansion of recreational facilities; however it does propose the possibility of establishing Wildfire Risk Reduction Buffers (e.g., SI-3, SP-46) that could take the form of open space. The Town would need to acquire land and/or establish a partnership with landowners to realize this vision; the Project only puts forward the idea of open space buffers as a concept that would need to be refined. If successful, the establishment of Wildfire Risk Reduction Buffer parks would be subject to all local and State requirements, including CEQA review.



As previously mentioned, the PRPD is rebuilding park facilities following the Camp Fire and planning for new recreation centers, community parks, trails, and improved access to existing park land independent of the Project. PRPD's expansion of facilities is independent of the Project and the Project does not include or require new or expanded facilities that would result in a significant impact to the environment.<sup>14</sup>

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<sup>14</sup> Efseaff, Dan, District Manager, Paradise Recreation & Park District. 2021. Personal communication with Urban Planning Partners. December 6.

## 17. Transportation and Traffic

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>  |                                      |  |                                     |                          |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?           | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</i>    |                                      |  |                                     |                          |

Relevant transportation plans and policies include the Butte County Association of Governments (BCAG) 2020 Regional Transportation Plan/Sustainable Communities strategy (RTP/SCS), Paradise General Plan Circulation Element, and Transportation Master Plan.

### RTP/SCS

The RTP/SCS specifies the policies, projects, and programs necessary over a 20 or more-year period to maintain, manage, and improve the region's transportation system. The Butte County Association of Governments (BCAG) published the 2020 RTP/SCS in 2020 (adopted December 10, 2020). BCAG also prepared and certified the 2020 Regional Transportation Plan/Sustainable Communities Strategy Supplemental Environmental Impact Report (RTP/SCS SEIR) and adopted a Statement of Overriding Consideration for significant and unavoidable impacts related to transportation based upon the inability to meet state VMT requirements, largely as a result of the Camp Fire based upon the nature of the VMT calculation. The RTP/SCS SEIR included the following two-part mitigation measure (MM) (MM T-1) prescribing local and regional mitigations to reduce vehicle miles traveled (VMT):

The state recognized that additional state policy actions and funding would be required to close the VMT gap between what the MPOs could achieve through implementation of their SCSs, and reductions needed to meet state goals. Though the state must initiate these additional actions and funding programs, the exact form of the policies and funding programs must be collaboratively developed with input from MPOs, local agencies, and other organizations to ensure they provide the tools and incentives necessary to go beyond the SCSs in reducing VMT.

Consequently, BCAG shall work collaboratively with Butte County and the cities of Biggs, Chico, Gridley, Oroville, and Town of Paradise to support implementation of regional and local-level strategies and measures to achieve further VMT reductions. Implementing agencies (i.e., Butte County and the cities of Biggs, Chico, Gridley, Oroville, and Paradise) shall implement the following strategies to reduce VMT.

#### **Local Level**

Implementing agencies shall require implementation of VMT reduction strategies through transportation demand management (TDM) programs, impact fee programs, mitigation banks or exchange programs, in-lieu fee programs, or other land use project conditions that reduce VMT. Programs should be designed to reduce VMT from existing land uses, where feasible, and from new discretionary residential or employment land use projects. The following strategies from Quantifying Greenhouse Gas Mitigation Measure, CAPCOA, August 2010 were identified as strategies most suited to Butte County and the cities of Biggs, Chico, Gridley, Oroville, and Town of Paradise, given the rural and suburban land use context:

- 1. Increase diversity of land uses** – This strategy focuses on the inclusion of mixed uses within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.
- 2. Provide pedestrian network improvements** – This strategy focuses on creating a pedestrian network within the project and connecting to nearby destinations. Projects in Butte County tend to be small, so the emphasis of this strategy would likely be the construction of network improvements that connect the project site directly to nearby destinations. Alternatively, implementation could occur through an impact fee program or benefit/assessment district targeted to various areas in the county designated for improvements through local or regional plans. Implementation of this strategy may require regional or local agency coordination and may not be applicable for all individual land use development projects.
- 3. Provide traffic calming measures and low-stress bicycle network improvements** – This strategy combines the CAPCOA research focused on traffic calming with new research on providing a low-stress bicycle network. Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome. Implementation options are similar to strategy 2 above. One potential change in this strategy over time is that e-bikes (and e-scooters) could extend the effective range of travel on the bicycle network, which could enhance the effectiveness of this strategy.
- 4. Implement car-sharing program** – This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Note that implementation of this strategy would require regional or local agency implementation and coordination and would not likely be applicable for individual development projects.
- 5. Increase transit service frequency and speed** – This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given land use density in Butte County, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations or require new forms of demand-responsive transit service. The demand-responsive service could be provided as subsidized trips by contracting to private Transportation Network Companies (TNCs, such as Uber, Lyft, and Via) or taxi companies. Alternatively, a public transit operator could provide the subsidized service but would need to improve on traditional cost effectiveness by relying on TNC ride-hailing technology, using smaller vehicles sized to demand, and flexible driver employment terms where drivers are paid by trip versus by hour. Note that implementation of this strategy would require regional or local agency

implementation, substantial changes to current transit practices, and would not likely be applicable for individual development projects.

**6. Implement subsidized or discounted transit program** – This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by incentivizing individuals to use transit for their daily commute. This strategy depends on the ultimate building tenants – whether residential landlords or businesses – and may require monitoring. This strategy also relies on B-Line continuing to provide similar or better service throughout the county, in terms of frequency and speed.

**7. Encourage telecommuting and alternative work schedules** – This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. The effectiveness of the strategy depends on the ultimate building tenants and the nature of work done by tenants' employees (can the work be done remotely in the first place?); two factors that should be considered for potential VMT reduction. Effectiveness may also be limited in more rural areas of the county with limited broadband internet access.

**8. Provide ride-sharing programs** – This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants, which depends on the ultimate building tenants; this should be a factor in considering the potential VMT reduction.

#### **Regional**

Implementing agencies shall require project modifications during the project design and environmental review stage of project development that would reduce VMT effects. For roadway capacity expansion projects, this would include but is not limited to demand management through transportation systems management and operations (TSMO) including the use of pricing.

The Town of Paradise specifically has adopted MM T-1 of the RTP/SCS SEIR as Town policy. On April 12, 2022 the Town adopted Resolution No. 2022-24, which adopted the VMT policies found in Appendix B.

In addition to policies related to VMT, the RTP/SCS has broader goals and policies related to the transportation system. The goals of the RTP/SCS are as follows:

1. **Highways, Streets, and Roads.** A safe and efficient regional road system that accommodates the demand for movement of people and goods.
2. **Transit.** Provide an efficient, effective, coordinated regional transit system that increases mobility for urban and rural populations, including those located in disadvantaged areas of the region.
3. **Rail.** A rail system that provides safe and reliable service for people and goods.
4. **Goods Movement.** Provide a transportation system that enables safe movement of goods in and through Butte County.
5. **Aviation.** A fully functional and integrated air service and airport system complementary to the countywide transportation system.
6. **Non-Motorized Transportation.** A regional transportation system for bicyclists and pedestrians.
7. **Intelligent Transportation System (ITS).** Promote the use of ITS technologies in the planning and programming process.

8. **Energy.** Reduce usage of nonrenewable energy resources for transportation purposes.
9. **Air Quality.** Achieve air quality standards set by the Environmental Protection Agency (EPA) and the State Air Resources Board.
10. **Land Use Strategies.** Provide economical, long-term solutions to transportation problems by encouraging community designs which encourage walking, transit, and bicycling.
11. **Transportation Financing.** Develop and support financing strategies that provide for continuous implementation of the Regional Transportation Plan projects and strategies.
12. **Outreach and Coordination.** Provide a forum for participation and cooperation in transportation planning and facilitate relationships for transportation issues that transcend jurisdictional boundaries.
13. **Quality of Travel and Livability.**

**Mobility.** The transportation system should provide for convenient travel options for people and goods and maximize its productivity. The system should reduce both the time it takes to travel as well as the total costs of travel.

**Reliability.** The transportation system should be reliable so that travelers can expect relatively consistent travel times from day-to-day for the same trip by mode(s).

**System Preservation and Safety.** The public's investment in transportation should be protected by maintaining the transportation system. It is critical to preserve and ensure a safe regional transportation system.

14. **Sustainability.** Incorporate Sustainable Community Strategies into the regional transportation planning process which works towards social equity, a healthy environment and a prosperous economy.
15. **Emergency Preparedness.** To support and collaborate on proactive emergency planning and projects. Projects that increase emergency readiness and preparedness including upgrading and maintaining roadways, public transit or facilities that support emergency situations.
16. **Housing.** To support and collaborate on proactive efforts to address housing needs in the region.

The RTP/SCS includes a number of objectives and policies/actions to implement these goals, including the provision of complementary "dial-a-ride" transit services for the elderly, persons with disabilities, or those who are not served by a fixed route transit service; supporting the acquisition of funding and other planning activities for complete streets and active transportation; increasing transit service where feasible; supporting vanpooling and carpooling programs; and supporting and encouraging infill development that is friendly to pedestrians and bicyclists.

## General Plan

The Town's General Plan includes the goals, objectives, policies, and implementation measures related to transportation and circulation as listed below. Although the General Plan has goals, objectives, policies, and implementation measures related to maintaining mobility as measured through Level of Service (LOS), LOS is no longer deemed an appropriate transportation measure of environmental impact under CEQA and is therefore not relevant to this Initial Study of potential CEQA impacts.

### *Goals*

- **CG-1.** Support cooperative and coordinated transportation planning and development activities with federal, state, regional, and local agencies in order to assure maximum coordination of effort in the Paradise region.
- **CG-2.** Provide safe, efficient, and effective traffic flow, both within Paradise and between Paradise and its environs.
- **CG-3.** Enhance and improve pedestrian and bicycle safety and use by establishing additional linkages between areas of town.
- **CG-4.** Provide adequate access, including access for emergency vehicles and evacuation, to all new parcels and to existing parcels when feasible.
- **CG-5.** Maintain and improve local and regional air quality.
- **CG-6.** Reduce reliance on the automobile by careful land use planning and encourage the use of non-automobile travel modes through a balanced and integrated set of land use and transportation planning policies.

### *Objectives*

- **CO-3.** Assure that traffic generated by high density residential land use development will not exceed roadway capacity and level of service standards.
- **CO-5.** Plan and complete public street improvements to accommodate projected traffic during the planning period.
- **CO-6.** As necessary, revise and update both the bicycle and pedestrian and the Paradise Memorial Trailway master plans.
- **CO-10.** Encourage efforts to significantly reduce reliance on the private automobile during the fifteen-year planning period.

### *Policies*

- **CP-1.** The town shall strive to maintain a level of service (LOS) "D" or better as the standard for new and existing roadways in the Paradise planning area. LOS "D" or better should be maintained on all local streets within the town limits, and LOS "C" or better should be maintained whenever feasible.

- **CP-4.** New land use development shall be required to mitigate its share of the circulation impacts it creates.
- **CP-5.** Methods of recovering costs associated with use of roadways within the Town of Paradise by residents of the Upper Ridge should be explored, including imposition of development impact fees.
- **CP-10.** Safe paths for pedestrians, equestrians, and bicyclists should be provided, particularly for school children and the elderly. A sidewalk and pathway development program should be instituted for selected locations and where feasible should link with the Paradise Memorial Trailway.
- **CP-12.** The Town shall encourage Butte County to require development applications within the secondary planning area [Sphere of Influence] to dedicate and improve streets to town standards and to provide other transportation improvements (e.g., bus stops, park-and-ride lots).
- **CP-13.** Automobile dependency within Paradise should be reduced for local residents and visitors by implementing congestion management and trip reduction plan programs that decrease the number of vehicle miles travelled which, in turn, reduces air pollution and congestion and saves energy.
- **CP-14.** As staff and funding become available, expanded transit services for seniors and the handicapped should be promoted in accordance with the results of future studies.
- **CP-15.** Expand public transportation services within Paradise and between Paradise and major employment centers as feasible, based on service demand and financial constraints.
- **CP-17.** Whenever the LOS “D” is reached on roadways within Paradise, the town shall explore all feasible alternatives for improving traffic flow, rather than automatically implementing a road widening project.
- **CP-19.** As staff and resources become available, the town should strive to increase the transit opportunities for children and senior citizens in the community.

#### *Implementation Measures*

- **CI-3.** Establish a town wide development impact fee program, and review and update on an annual basis.
- **CI-6.** Identify locations for sidewalks and pathways along existing major collector and arterial roadways as well as standards for requiring sidewalks adjacent to new developments.
- **CI-7.** Require new development to provide a pedestrian pathway on at least one side of new public streets and new private roads (if feasible).
- **CI-8.** Improve shoulders of some roads to make them safer for pedestrians and bicyclists and relocate mailboxes where feasible from sidewalks.
- **CI-9.** Require transportation facilities such as bus stops to be incorporated into major new developments.

## Transportation Master Plan

The Town will review and consider the TMP for adoption on May 10, 2022. The TMP guides long-term transportation improvements and envisions safe, modern travel options, and efficient evacuation routes for the Town's residents, business owners, and visitors.

Key components of the TMP include:

- Traffic needs analysis: This analysis will recommend improvements to the roadway system serving connections to schools, parks, shopping areas, jobs, and local homes. The recommended concepts will address traffic and circulation needs for all roadway users.
- Traffic evacuation planning: This planning analyzes the Town's transportation network to serve traffic evacuation needs and will address pinch points, improve the backbone network, identify new connections, facilitate operations during an evacuation, and coordinate with regional partners and public safety responders.
- Active Transportation Plan: This plan will evaluate opportunities for walking paths, sidewalks, and bikeways and will position the Town to pursue grant funding for implementation.

As part of the evacuation planning, the Town is determining major and secondary evacuation routes, potential areas of congestion, and opportunities for roadway extensions and connections on dead-end streets for additional routes and increased evacuation capacity. Other components of the TMP include economic/redevelopment support, new roadway standards, and major projects coordination.

## Impact Assessment

**Less than Significant.** Development associated with the Project would be comprised largely of reconstructing dwelling units destroyed by the Camp Fire. An analysis prepared by Kittelson & Associates, Inc. (Kittelson), attached and incorporated as Appendix A, concluded that no components of the Project conflict with the transportation plans or their goals, objectives, policies, and implementation measures described above. Similarly, no aspect of the Project conflicts with existing or planned bicycle facilities, rail facilities, or transit service. Additionally, development that occurs as part of the Project (Housing Element implementation) will comply with the VMT policies identified in the RTP/SCS and provided in Appendix B. The VMT policies were adopted by the Town on April 12, 2022. Policies in the RTP/SCS will promote future residential development to align with existing regional programs, plans, ordinances, and policies:

- Increase diversity of land uses. The Project includes policies to facilitate the development of a mix of uses in the Downtown, which can help minimize the number and length of vehicle trips.



- Provide pedestrian network improvements. Network improvements that connect individual sites to existing networks and nearby destinations would improve opportunities for walking in Paradise.
- Provide traffic calming measures and low-stress bicycle network improvements. Providing low-stress bicycle infrastructure that connects areas of proposed development to existing and planned networks would improve opportunities for biking in Paradise.

For these reasons, the Project would not conflict with adopted plans, ordinances, or policies addressing the safety and performance of the circulation system. This is a less-than-significant impact; no mitigation measures are required. This finding is consistent with the RTP/SCS Supplemental Environmental Impact Report (SEIR) Impact T-1 finding.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)? (i.e., a proposed residential project in an area exceeding a level of 15% below existing regional average home-based VMT per resident)*

**Less Than Significant.** Senate Bill 743 (SB 743) was signed into law in September 2013. Senate Bill 743 (Steinberg, 2013) required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Historically, CEQA transportation analyses of individual projects determined impacts in the circulation system in terms of roadway delay and/or capacity at specific locations. SB 743 eliminated auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts and instead identified vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. Since the bill has gone into effect, automobile delay, as measured by "level of service" and other similar metrics, no longer constitutes a significant environmental effect under CEQA (although such metrics may continue to be a measure for planning purposes).

In December 2018, the California Governor's Office of Planning and Research (OPR) and the State Natural Resources Agency submitted updated CEQA Guidelines to the Office of Administrative Law for final approval to implement SB 743. The Office of Administrative Law approved the updated CEQA Guidelines, thus implementing SB 743 and making VMT the primary metric used to analyze transportation impacts. The final text, final statement of reasons, and related materials are posted at <http://resources.ca.gov/ceqa>. The changes have been approved by the Office of the Administrative Law and are now in effect. For land use and transportation projects, SB 743-compliant CEQA analysis became mandatory on July 1, 2020.

Kittelson prepared a VMT assessment (see Appendix A) utilizing the BCAG travel demand model to assess the baseline and future year average VMT per resident for the transportation analysis zones (TAZs) that comprise the Paradise planning area and Butte County. The model outputs are shown in Table 4. As shown in Table 4, the average VMT per resident in Paradise is 36 to 42 percent higher than the county average in baseline and future year conditions, respectively. Table 4 also shows the VMT level that represents 15 percent below the countywide average, or the CEQA threshold.

**TABLE 4 BCAG TRAVEL DEMAND MODEL DAILY HOME-BASED VMT PER RESIDENT**

| <b>Planning Area</b>              | <b>Model Year 2020</b> | <b>Model Year 2045</b> |
|-----------------------------------|------------------------|------------------------|
| Butte County Average              | 11.6                   | 12.3                   |
| Level at 15% Below County Average | 9.9                    | 10.5                   |
| Paradise                          | 15.8                   | 17.5                   |

Source: Kittelson, 2022.

As shown in Table 4, the average VMT per resident in Paradise is 60 or more percent higher than the impact threshold of 15 percent below existing regional average home-based VMT per resident. This is consistent with the findings of the RTP/SCS EIR. As previously mentioned, BCAG certified the RTP/SCS SEIR and adopted a Statement of Overriding Considerations for the significant and unavoidable impacts, including significant and unavoidable impacts related to VMT. The Town subsequently relied on the SEIR to adopt the SCS/RTP and established Mitigation Measure T-1 or the RTP/SCS as Town policy (VMT policies). The VMT policies are included in Appendix B and include the following strategies:

1. Increase diversity of land uses.
2. Provide pedestrian network improvements.
3. Provide traffic calming measures and low-stress bicycle network improvements.
4. Implement car-sharing program.
5. Increase transit service frequency and speed.
6. Implement subsidized or discounted transit program.
7. Encourage telecommuting and alternative work schedules.
8. Provide ride-sharing programs.

In developing the 2020 RTP/SCS, BCAG utilized a “medium growth” scenario shown in Table 5 based upon the best available data at the time given the disruptions posed by the Camp Fire during the RTP/SCS development process. Consistent with Government Code Section 65584.04(e), BCAG also utilized the RTP/SCS in the Regional Housing Needs Plan, which issued the RHNA allocations to all Butte County jurisdictions. Table 1 in the project description shows the Paradise allocation. Table 6 compares Paradise’s growth scenario in the RTP/SCS, the growth that would be realized with achievement of the Town’s RHNA, and the growth that would be realized with achievement of the quantified objective of the Housing Element. As shown in Table 6, the growth the Town would undergo pursuant to the Project is consistent with the growth projected in the 2020 RTP/SCS and evaluated in the RTP/SCS SEIR.

**TABLE 5 BCAG HOUSING FORECASTS - TOTAL DWELLING UNITS 2018-2040**

| <b>Jurisdiction</b> | <b>2018</b> | <b>2020</b> | <b>2025</b> | <b>2030</b> | <b>2035</b> | <b>2040</b> | <b>Total Increase<br/>2018-<br/>2040</b> | <b>Percent Increase<br/>2018-<br/>2040</b> |
|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|--|--|
| Paradise            | 13,091      | 1,916       | 6,490       | 9,318       | 10,811      | 11,347      | -1,744                                   | -13%                                       |

Note: 2018 dwelling unit count obtained from State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2010-2019, with 2010 Benchmark. Sacramento, California, May 2019.

Source: Kittelson, 2022 and BCAG RTP/SCS.

**TABLE 6 PARADISE GROWTH PROJECTS – TOTAL DWELLING UNITS**

| <b>Scenario</b>                        | <b>2030</b> |
|--|-------------|
| 2020 RTP/SCS                           | 9,318       |
| Full buildout of RHNA                  | 9,095       |
| Full buildout of quantified objectives | 4,936       |

Source: Kittelson, 2022, Town of Paradise, 2022, and Urban Planning Partners, 2022.

The finding that implementation of the Project would result in a significant VMT impact is consistent with the findings of the RTP/SCS SEIR. Furthermore, because the growth that could occur pursuant to the Project is within the level of growth analyzed in the RTP/SCS SEIR, the Project's VMT impacts have already been evaluated and the VMT impacts associated with the Project are no more severe than previously identified. As mentioned above, at the time of adopting the policy, the Town has adopted a Statement of Overriding Considerations related to VMT impacts of future growth within the RTP/SCS, which is greater than the buildout anticipated under the Project. Future development pursuant to the Project would be subject to the Town's VMT policies, including providing pedestrian network improvements, traffic calming measures, and low-stress bicycle network improvement, and therefore no additional mitigation is needed. Impacts from the Project would be less than significant.

Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Less than significant.** The Project designates future feasible sites for residential development and is proposing to increase the amount and density of residential land uses. The Housing Element includes programs to rezone land within the Town's planned Sewer Service Area. A Sewer Service Overlay Zoning District would be established with implementation of the Project that would apply only when the sewer is implemented. Most notably, the Sewer Service Overlay Zone would increase the allowed residential density in the Community Facilities (C-F) zone from 1 dwelling unit per acre to 20 dwelling units per acre. Other changes would be less substantial,

and the project identifies residential development sites only where adjacent land uses are compatible. Therefore, the project would not introduce incompatible land uses.

The Safety Element also contains programs and policies related to evacuation planning, but it does not propose new roadway design features. Rather, any future residential development covered in this Project would be subject to local development review to include a review of design features and would be required to comply with all local and State design guidelines.

Consistent with the RTP/SCS Impact T-3 finding and as described in Appendix A, the Project is not anticipated to cause a substantial increase in hazards due to design features or incompatible uses and impacts would be less than significant.

c) *Result in inadequate emergency access?*

**Less than significant.** Development pursuant to the Project would be subject to Town review and the Town would coordinate with individual projects to ensure that emergency routes are not blocked and remain available during construction. In addition, the Safety Element includes policies to ensure future housing development has adequate emergency access, as summarized below.

- **TMP Implementation.** The Safety Element includes programs to execute recommended circulation improvements that will provide benefits for emergency preparedness, response, and evacuation. Through the development review process and in accordance with the Butte County Community Wildfire Protection Plan, adequate roads shall be required to be constructed and/or improved for emergency vehicle access, particularly in high wildland fire hazard areas.
- **Density Discretion.** The Town would continue to limit the densities of development on parcels that do not have adequate emergency access. At a minimum, the Town would not approve any discretionary permit or project that requests an increase of existing residential density on parcels that are served access by either an existing or resultant cul-de-sac exceeding a maximum length of 1,800 lineal feet. The Safety Element would require that the Town also continue to look to the TMP and Board of Forestry for guidance on potentially developing more stringent access requirements.
- **Response Times.** New development pursuant to the Project would largely replace units lost in the Camp Fire and response times and levels of service are anticipated to be sufficient to accommodate this incremental population growth. In addition, the Town would strive to maintain an overall fire insurance (ISO) rating of three or better, and an emergency fire response within five minutes for 90 percent of all emergency incidents within the Town Limits, as specified in SP-13 of the Safety Element.

Consistent with the RTP/SCS T-4 finding and as analyzed in Appendix A, there are no other components of the Project that would have the potential to impact emergency access and impacts would be less than significant. Implementation of the Safety Element may help improve emergency access given the policies and programs described previously.

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## 18. Tribal Cultural Resources

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>   |                                      |  |                                     |                          |
| Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:   |                                      |  |                                     |                          |
| a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</i>  |                                      |  |                                     |                          |

**Less Than Significant.** The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. Also, if any historic or pre-historic artifact is discovered on the site during any future development, work shall immediately stop until a qualified professional archaeologist view the site, provides recommendations, and gives clearance to continue, per General Plan program OCEI-20. General Plan policies OCEP-36 and OCEG-9 further protect historic resources by requiring archeological surveys when applicable. Impacts from the Project would be less than significant.

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

**Less Than Significant.** Paradise lies within territory formerly inhabited by the Northwestern Maidu or Konkow peoples. Major villages were located atop the crests of ridges high above the

rivers.<sup>15</sup> Given the potential for tribal cultural resources in the vicinity, and pursuant to State law, written notices about the Project were sent to the following tribes: United Auburn Indian Community of the Auburn Rancheria, Mooretown Rancheria, Mechoopda Indian Tribe, Greenville Rancheria, Berry Creek Rancheria, Enterprise Rancheria, Washoe Tribe of Nevada and California, and Konkow Valley Band of Maidu (Tribes). Pursuant to AB 52 and SB 18 and according to Government Code Section 65352.3, the tribes were provided information on the Project and invited to consultation. The United Auburn Indian Community of the Auburn Rancheria responded to confirm that the Project site is outside of its geographic area of traditional and cultural affiliations. The Berry Creek Rancheria tribe requested a consultation related to the sewer system and the corresponding Sewer Service Overlay Zone, and consultation occurred between the tribe and the Town's engineering department (the lead agency for the Town's sewer project). The sewer project is a separate effort for this Project and currently undergoing its own environmental review. Upon further conversations with the tribe, the Berry Creek Rancheria shared that they did not have concerns with the Project, which is related to making land available for rebuilding and new construction of housing. Consistent with Government Code 21080.3.2, tribal consultation is considered concluded given the tribe's input that no significant effect exists.

The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. Also, if any archaeological or cultural resource is discovered on the site during any future development work shall immediately stop, as described above. Tribes did not indicate that implementation of the Project would result in impacts and impacts are therefore considered less than significant.

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<sup>15</sup> Town of Paradise, 1994. Paradise General Plan Environmental Setting Document.

## 19. Utilities and Service Systems

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>  |                                      |  |                                     |                          |
| a. Require or result in the construction of new water or wastewater treatment facilities or storm water drainage, electric power, natural gas, or telecommunication facilities the construction of which could cause significant environmental effects?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a-c) <i>Require or result in the construction of new water or wastewater treatment facilities or storm water drainage, electric power, natural gas, or telecommunication facilities the construction of which could cause significant environmental effects? Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</i> |                                      |  |                                     |                          |

**Less Than Significant.** The Paradise Irrigation District (PID) provides water to most areas of the Town of Paradise. The primary source of water supply is surface water from rainfall stored in two reservoirs, Paradise Reservoir and Magalia Reservoir. The upstream reservoir, Paradise Lake, is the main storage facility with a total storage capacity of approximately 11,500 AF. Surface water from Paradise Lake is released into Little Butte Creek and flows to Magalia Reservoir. Magalia Dam is currently restricted to 800 AF of storage as a result of the current maximum water surface elevation dictated by the Department of Water Resources, Division of Safety of Dams (DSOD). PID's water distribution network sustained substantial damage during the Camp



Fire. According to the 2020 PID Urban Water Management Plan, to date, PID continues to repair or replace main segments that sustained leak damage or have remained off with an outlook of several years before all breaks can be addressed.

Paradise relies upon annual precipitation and runoff in the Butte Creek watershed. Depending upon trends in climate change, annual precipitation and snowpack conditions, Paradise may experience shortage in the future. However, through the PID planning horizon of 2045, there is no anticipated shortage of supply in any year type. This is partially due to the reduction in demand caused by the 2018 Camp Fire. As Paradise continues to rebuild following the disaster, trends in redevelopment and possible intensification may change the outlook of water supply through 2045. It is difficult to predict development trends after such an unprecedented community change. PID's projections are based on data from the Town, which estimates a return to pre-fire population by 2045. The approximately 26,500 people projected to live in Paradise by 2045 is well within the 7,179 housing units for which the Project plans. Using an average of 2.19 person/household,<sup>16</sup> the Project plans for approximately 15,720 people (7,179 housing units) through 2030. This number is within the anticipated capacity of the PID, which anticipates a Paradise population of 18,955 in 2030. In addition, the Project includes policies to require drought-resistant landscaping (SP-51) and future development would be required to comply with Title 24 requirements that reduce water usage.

Possible construction of the sites identified in the Project to satisfy the RHNA would not result in the construction of new or expanded utility or service systems. Electricity is available to all of the sites identified to satisfy the RHNA. Because Paradise does not have a wastewater treatment facility, new development would not affect the ability to provide service to a treatment facility. At this time, all new residential development is required to provide its own wastewater treatment facilities in accordance with the Town's wastewater regulations. The Project does include a program (HI-1) to continue planning for a sewer system and Program HI-5 would create a zoning overlay to allowed increased densities in the SSA. The Paradise Sewer Project is undergoing its own CEQA review (an EIR began in fall 2020) and the Project under review in this CEQA document does not propose to construct, nor does it require the construction of, such a sewer system. Should the Sewer Project not end up being implementing, the Town would still have ample land capacity to accommodate its RHNA at the densities of 15 unit/acre currently allowed with clustered wastewater systems.

Additionally, future residential development projects would comply with General Plan policies related to utilities. Future development proposals would be reviewed by the appropriate service agencies as part of the development application review process in order to ensure that sufficient capacity in all utilities would be available on time to maintain desired service levels. Therefore, Project implementation would have a less-than-significant impact regarding a significant increase in demand for wastewater and water services, electric power, natural gas, or telecommunication facilities.

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<sup>16</sup> Paradise Irrigation District, 2021. Urban Water Management Plan. June.

- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Less Than Significant.** Solid waste generation in the town is primarily disposed of at the Neal Road Recycling and Waste Facility (NRRWF), which is owned and operated by Butte County. According to Butte County Department of Public Works, the maximum amount accepted daily at the NRRWF is 1,500 tons, although the daily amount rarely exceeds 1,200 tons. However, due to the 2018 Camp Fire, Butte County Public Works submitted an Emergency Waiver of Standards to CalRecycle to increase the maximum tonnage from 1,500 tons per day to 15,000 tons per day, as well as increased permitted traffic volume, transfer and processing capacity, and facility operating hours to expedite disposal of fire debris. The NRRWF has a permitted capacity of approximately 25.3 million cubic yards and a remaining capacity of 20.8 million cubic yards. The facility is estimated to operate until 2048, accommodating 2.5 to 3.5 percent annual increases in solid waste due to anticipated growth in the County.<sup>17</sup> Future development under the Project would be within this capacity, and within the pre-Camp Fire population included in the Franchise Agreement between the County and waste management and collection services through February 2030; the Project would not result in the need for additional NRRWF staff and no impacts are expected from the Project.<sup>18</sup> The Butte County Department of Public Works is in development of a Master Plan and any future facility expansion would be driven by the Master Plan's recommendations. Impacts from the Project would be less than significant.

- c) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Less Than Significant.** As mentioned above, solid waste collection and disposal for residential units would be disposed of at the NRRWF. The NRRWF operates in compliance with federal, State, regional, and local governmental statutes, and regulations. The Project would not impede the NRRWF's ability to be in compliance with applicable regulations. In addition, the program SI-7 of the Project intends to facilitate waste reduction in the town, with an emphasis on hazardous waste. Impacts from the Project would be less than significant.

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<sup>17</sup> Butte County Department of Public Works, 2021. Negative Declaration Neal Road Recycling and Waste Facility Composting Project. Prepared by Dudek. March.

<sup>18</sup> Cissell, Craig, Deputy Director, Waste Management Division, Butte County Public Works. 2021. Personal communication with Urban Planning Partners. December 6.

## 20. Wildfire

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| <b>Would the project:</b>   |                                      |  |                                     |                          |
| a. Substantially impair an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

*a) Substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Less Than Significant.** The Town's TMP includes a high-level capacity analysis to determine major and secondary evacuation routes, potential areas of congestion (intersections or roadway segments), and opportunities for roadway extensions/connections on dead-end streets for additional routes and increased evacuation capacity. The TMP is scheduled for review and consideration of adoption by the Town on May 10, 2022.

The Project builds off the ongoing TMP efforts by including programs and policies to implement upgrades recommended in the TMP (SI-11, SI-19); clustering development and critical services in areas near evacuation routes and discouraging development with poor evacuation access (SP-5, SP-30, SP-41); and providing education on emergency response and evacuation plans (SI-16), including evacuation simulations (SP-43, SI-19). In addition to increased density in the SSA, the Town would explore incentives such as reduced permit fees, expedited processing, a special permitting desk, CEQA streamlining, and/or density bonus programs for development in these safer areas (SI-3). Development in areas that is not as well-served by evacuation routes would be disincentivized through an impact fee or overlay zone (SP-46) and the Town would prohibit any increase of existing residential density on parcels that are served access by either an existing or resultant cul-de-sac exceeding a maximum length of 1,800 lineal feet (SI-19). Similarly, development of critical facilities in wildfire risk reduction buffers would be prohibited (SI-13).

For these reasons, the Project would not impair evacuation planning and would instead work in tandem with ongoing efforts to improve emergency response and evacuation. Impacts from the Project would be less than significant.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

**Less Than Significant.** Wildland fire hazards exist in varying degrees over approximately 70 percent of Butte County. The highest wildfire risk to human health and safety occurs in the foothill communities, including in Paradise. This area is considered a wildland-urban interface (WUI). Fires that occur in the WUI affect natural resources as well as life and property. During the past decade, Butte County has experienced several large and damaging wildfires in and around the wildland-urban interface areas, including Paradise. In November 2018, Paradise and some surrounding areas in Butte County faced the Camp Fire, which resulted in the loss of 85 lives, nearly 19,000 structures, the burning of more than 150,000 acres over two weeks, and \$9 billion in insurance claims. It took less than six hours for the Camp Fire to destroy over 90 percent of Paradise. The vast majority of the town is identified by CAL FIRE as a very high fire hazard severity zone (VHFHSZ).

The Project identifies parcels throughout the town as locations for potential future residential development to accommodate the RHNA, including sites that are in the VHFHSZ. Future development would expose people or structures to wildland fire risk. However, the Project includes policies and programs to reduce fire risk, including but not limited to the creation of Wildfire Risk Reduction Buffers, the clustering of development in the SSA where it is flatter and easier to evacuate, establishment and enforcement of fuels management programs and education, analysis and potential implementation of more stringent fire-resistant building requirements, and implementation of community-wide evacuation drills. Such policies and programs, which future developments would be required to implement, would reduce the risk of loss, injury, or death due to wildfire rather than exacerbate the existing wildfire risk.

As discussed above, the Project is a policy-level document that does not propose any specific development designs or proposals, nor does it grant any entitlements for development. Potential wildland fire impacts to subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Future development in the WUI would also be subject to applicable California Building Code and Board of Forestry requirements for development in the VHFHSZ. For these reasons, this impact is considered less than significant.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**Less Than Significant.** The Project is a series of policy-level documents that seek to facilitate the construction and conservation of housing to meet Paradise's housing needs and reduce

exposure to hazards. The Project does include policies and programs to improve the Town's infrastructure, such as improvements to emergency evacuation routes, installation of an early warning systems, and implementation of a sewer system. However, these suggested infrastructure improvements are in tandem with independent projects that the Town is heading separately from the Housing and Safety Element updates (e.g., Transportation Master Plan, Paradise Sewer Project) and such projects are subject to their own CEQA review. Furthermore, the infrastructure projects identified in the Project would improve wildfire risk and response.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes?*

**Less Than Significant.** The Project identifies sites for future potential housing development and encourages a range of housing types at varying affordability levels. The Town has adequate vacant land that was previously developed and destroyed in the Camp Fire to accommodate its RHNA. If development of housing were to occur in previously undeveloped areas, increased impervious surfaces and grading and vegetation removal activities could increase surface runoff and potentially contribute to the potential for localized flooding and/or erosion. However, the sites identified for development are not greenfield development.

Paradise does not have any designated flood hazard areas as depicted on the Federal Emergency Management Agency (FEMA) Digital Flood Insurance Rate Map (DFIRM). Any flooding that occurs is localized in nature, resulting from a temporary lack of capacity or blockage of a drainage basin. According to the Butte County Local Hazard Mitigation Plan, dam failure is unlikely in Paradise and limited in severity. The Paradise Dam north of the town is considered an Extremely High Hazard dam for inundation, but the inundation area is completely outside of the Town limits. Furthermore, the Project includes policies and programs to reduce the risks related to localized flooding (e.g., SI-6, SP-27).

The majority of Paradise is at a low to moderate risk of landslide. The areas surrounding the town are where the topography most dramatically changes and are at greater risk to landslide. The northern edge of town and pockets in the southern and western edges are at moderate risk and the Town limits on the east abut and at times overlap an area of high potential landslide risk.

The Project includes policies and programs designed to facilitate the construction and conservation of housing, which could increase exposure of people and structures to landslides. The Project includes policies to facilitate clustering development in the SSA, which is primarily contained within the area of low landslide risk. The Safety Element also includes policies and programs to minimize risk and vulnerability of the community to hazards and reduce damages. The Town also has policies to prohibit development on steep slopes where landslide and ground failure are a greater concern; development on slopes exceeding 20 percent are required to submit erosion control plans and slope stabilization programs. Development is prohibited on slopes exceeding 30 percent. Consistency with local and State policies, including the California Building Code, would ensure future development under the Project is designed to reduce landslide risks.

The Project, which is at the policy level, would have less than significant impacts related to exposure to landslides or floods from fires or runoff.

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## 21. Mandatory Findings of Significance

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?       | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?</i> |                                      |  |                                     |                          |

**Less Than Significant.** The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. Development of the sites identified to satisfy the RHNA would not impact or degrade the quality of the environment as these sites are all located in areas that were already developed pre-fire and/or subdivided and are infill lots. Future development under the Project would be consistent with State and local policies that protect special status species and cultural resources.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are*

*considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

**Less Than Significant.** The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. Development of the sites identified to satisfy the RHNA would not have impacts that are individually limited, but cumulatively considerable. Development under the Project would be incremental over the eight-year planning period, and so potential impacts would not occur all at once.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less Than Significant.** The Project is at the policy level and encourages the provision of a range of housing types and affordability levels. The Project does not include any specific development designs or proposals, nor does it grant any entitlements for development. Development of the sites identified to satisfy the RHNA would not have environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed Housing Element could, instead, have positive impacts resulting from additional housing opportunities for the citizens of Paradise, and the proposed Safety Element could have positive impacts on the well-being and safety of the people and property of Paradise.

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## IV. LIST OF PREPARERS

### **Town of Paradise**

Susan Hartman, Community Development Director

### **Prime Consultant**

*Urban Planning Partners, Inc.*

Lynette Dias, Principal

Curtis Banks, Principal Planner

Leslie Carmichael, Principal Planner

Meredith Rupp, Senior Planner

Alyssa Chung, Planner

Tabitha Tolsma, Assistant Planner

### **Additional Project Consultants**

*Transportation*

*W-Trans*

*Kittleson & Associates*



## V. REFERENCES

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## APPENDIX A

# Technical Memorandum

April 15, 2022

Project# 26067

To: Meredith Rupp, Lynette Dias (Urban Planning Partners)  
From: Mike Alston, Mike Aronson, Mike Alston (Kittelison & Associates, Inc.)  
RE: Town of Paradise Housing Element DRAFT Transportation Analysis Memo

## INTRODUCTION

This memorandum presents the findings of the transportation impact analysis conducted for the Paradise Housing Element and Safety Element (herein referred to as the “project”). The proposed project will establish the proposed future zoning and planned housing development for the 14,700-acre Town of Paradise (“Town”) planning area.

The potential effects of the Housing Element component are the primary focus of this analysis, as its implementation has the potential to impact physical conditions related to transportation. The Housing Element provides a blueprint to develop up to 7,179 dwelling units (DUs) town wide, with 6,837 of those units being replacement DUs for those lost in the fire, and with an expectation that up to 3,075 DUs would be constructed by 2030. The Safety Element component of the project provides a framework of policies related to increasing resiliency against disasters and minimizing risk to hazards. Such policies will not directly impact transportation and indirect impacts will be minimal.

## EXISTING CONDITIONS

The Paradise planning area encompasses 14,700 acres (see Figure 1). Land use is dominated by residential and commercial uses with a limited number of industrial activities. Constraints on development include a shortage of flat, developable land, poor soils for septic tank use, and potential water supply limitations.

Paradise can be considered low density and/or rural, which has a direct impact on transportation and mobility. There are limited options for using public transit, and in many areas, it is physically difficult to walk or bike between destinations due to limitations in the pedestrian and bicycle network such as lack of sidewalks and bicycle lanes. As a result, most people drive to their destinations.

After the 2018 Camp Fire, traffic in the impacted community decreased, while traffic levels in the primary surrounding communities increased. Weekday activity between the areas impacted by the fire and neighboring areas increased due to contractors, supplies, and people commuting to temporary housing and jobs.

A description of the existing roadway, transit, bicycle, and pedestrian components of the transportation system within the Town of Paradise is provided in the following sections.

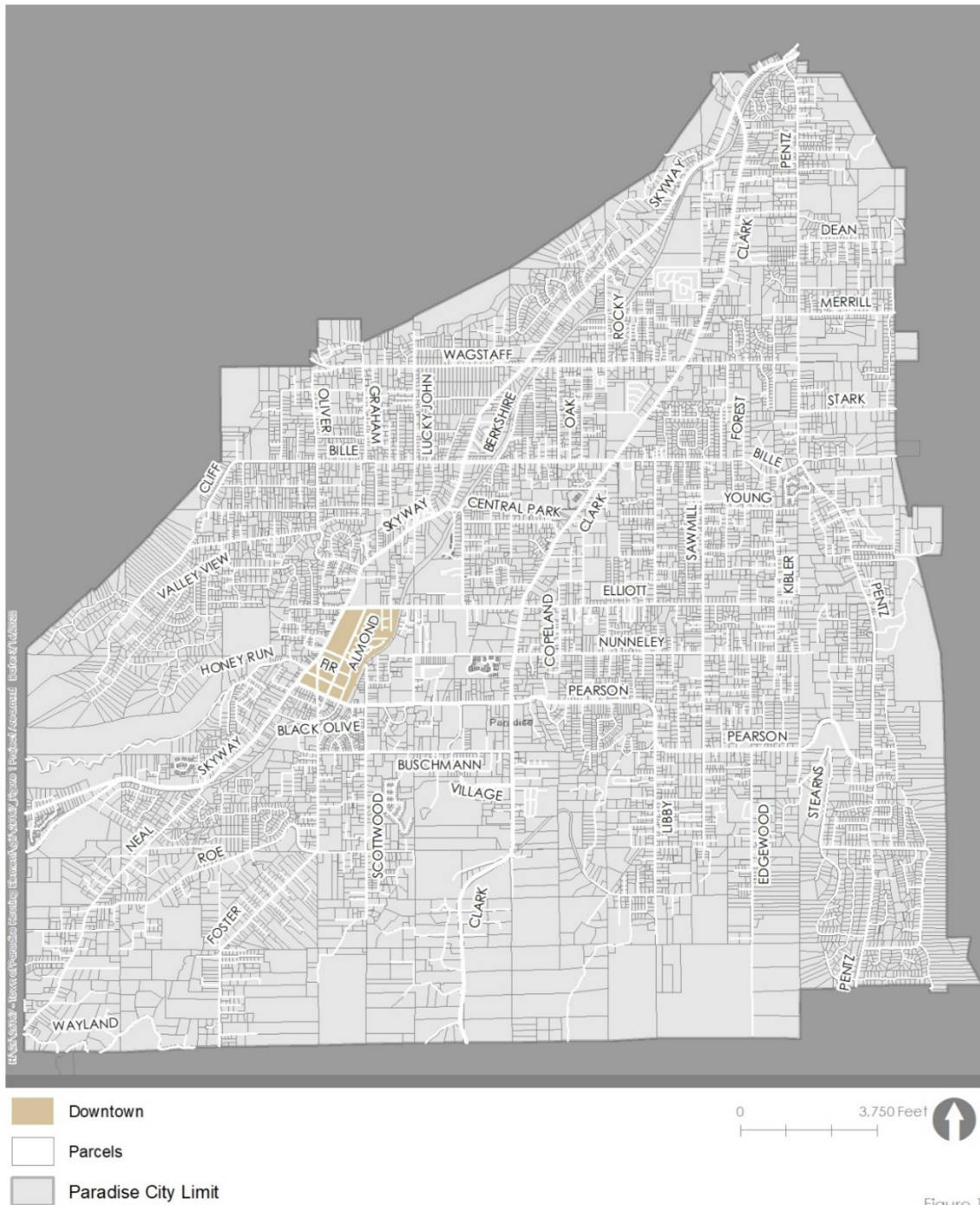
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## Roadway Network

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The existing roadway network in the Town of Paradise is composed of a street system made up of primarily arterials and collector roads. The roadway network is also shown graphically in Figure 2. Roadway classifications provided are from the 1994 Town of Paradise General Plan.

- **Principal Arterials:** Principal arterials are generally forty to sixty-four feet in width with eighty feet of right-of-way. The primary function of principal arterials is to expedite through traffic to major traffic generators. The generators include central business districts, community shopping centers and traffic between communities and/or between freeways and “lower” arterial systems.
- **Minor arterials:** Minor arterials service inter-community traffic trips between neighborhoods or trips between a neighborhood and a higher arterial. They are normally twenty-eight to forty feet wide on sixty-foot rights-of-way.
- **Collectors:** Collectors provide some through traffic movement, carry local traffic within the local area (neighborhood), and primarily provide access to abutting land and to higher roadway classifications (minor or principal arterials). They primarily serve local traffic of a neighborhood or a commercial/industrial area.
- **Access Streets:** Access streets are designed to serve traffic that is destined for and originating from abutting land. The adjacent land is most often residential, but access streets also serve industrial and commercial areas. The Town of Paradise utilizes a great number of private streets as local streets.



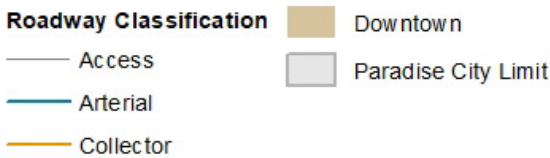
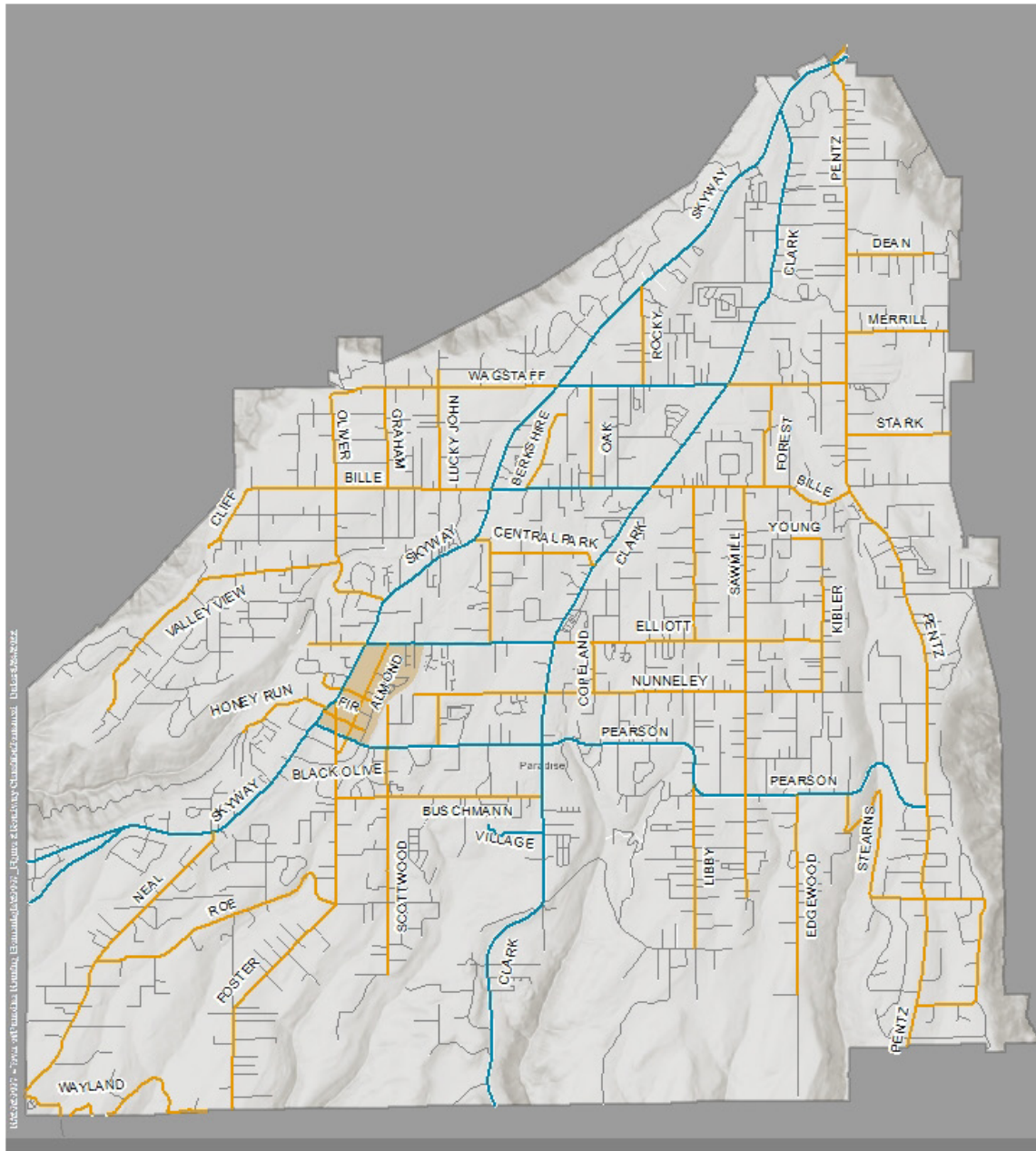


Figure 2



## Transit Facilities

The Town of Paradise is primarily served by the B-Line (Butte Regional Transit), which is Butte County's regional public transit system. Residents can use B-Line to travel locally in and between Chico, Oroville, Paradise, or communities throughout Butte County.

### B-LINE

The B-Line operates three main routes in Paradise that directly serve the area through nearby street-side bus stops. These routes run locally and are meant to connect the residents of Paradise to nearby job centers and communities in Chico, Oroville, and Magalia. They are summarized in Table 1.

**Table 1: Bus Routes Serving the Area**

| Route | Description   | Day      | Operating Times |         | Frequency       |
|-------|---|----------|-----------------|---------|-----------------|
| 31    | Southbound direction starts at Almond & Birch in Paradise and ends at Mitchell & Spencer in Oroville  | Weekday  | 6:45 AM         | 5:56 PM | One bus per day |
| 40    | Westbound direction starts at Almond & Birch in Paradise and ends at the Transit Center on 2nd & Salem in Chico   | Weekday  | 6:00 AM         | 7:26 PM | Every 2 hours   |
|       |   | Saturday | 7:50 AM         | 7:03 PM | Every 2 hours   |
|       |   | Sunday   | 9:50 AM         | 6:00 PM | Every 2 hours   |
| 41    | Westbound direction starts at Skyway & Colter in Magalia, travels through Paradise along Skyway to Almond & Birch, and ends at the Transit Center on 2nd & Salem in Chico | Weekday  | 5:50 AM         | 6:53 PM | Every 2 hours   |
|       |   | Saturday | 9:45 AM         | 6:03 PM | Every 3 hours   |

## Bicycle and Pedestrian Facilities

Bicycle and pedestrian facilities are important components of a transportation network. They offer non-vehicular opportunities for commute and recreational trips and provide connections to the region's transit network.

## BICYCLE FACILITIES

Bicycle facilities are defined by the following four classes<sup>1</sup>:

- **Class I** – Provides a completely separated facility designed for the exclusive use of bicyclists and pedestrians with crossing points minimized.
- **Class II** – Provides a restricted right-of-way designated lane for the exclusive or semi-exclusive use of bicycles with through travel by motor vehicles or pedestrians prohibited, but with vehicle parking and crossflows by pedestrians and motorists permitted.
- **Class III** – Provides a right-of-way designated by signs or permanent markings and shared with pedestrians and motorists.
- **Class IV** – Provides a restricted right-of-way designated lane for the exclusive use of bicyclists that is separated by a vertical element to provide further separation from motor vehicle traffic.

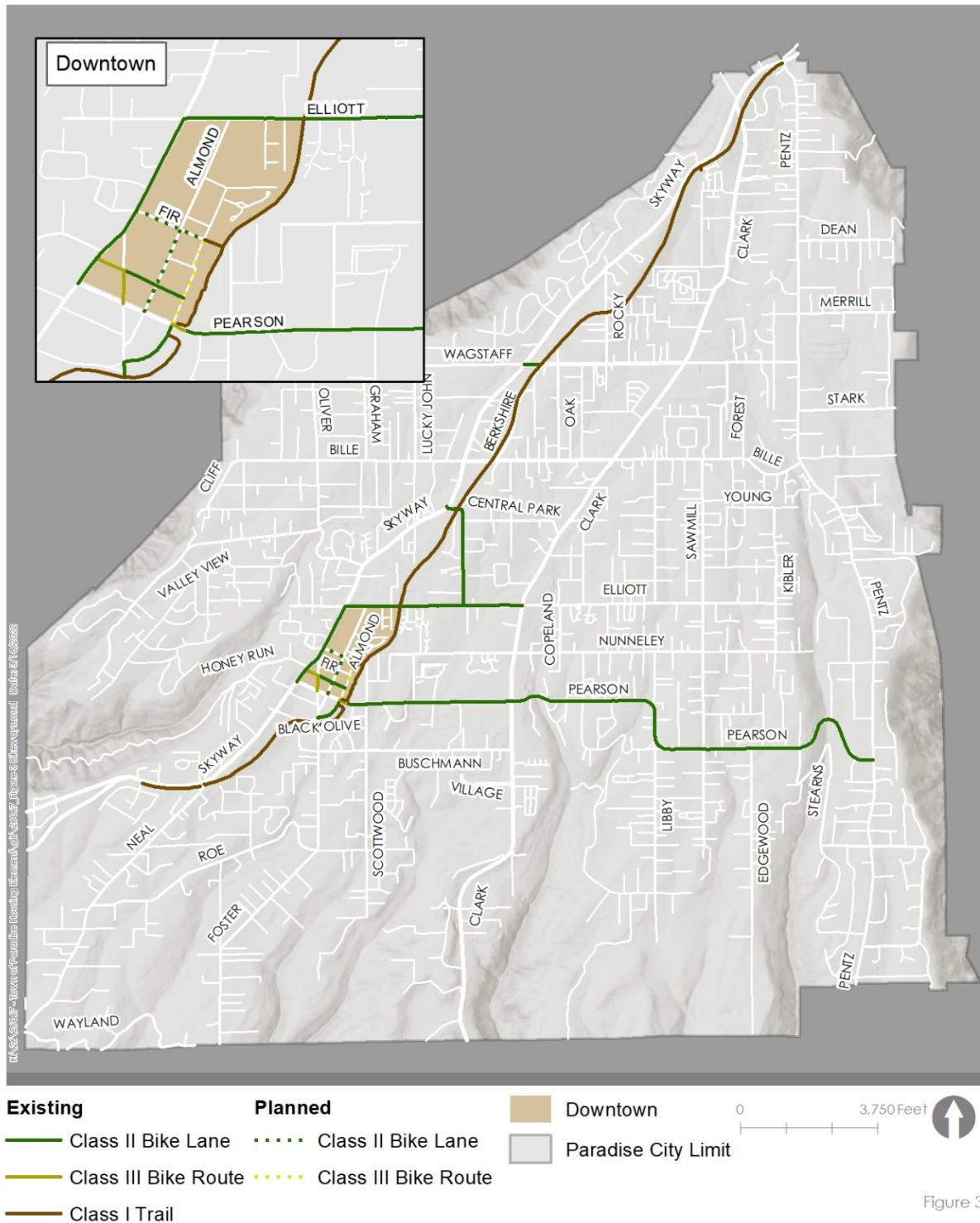
Figure 3 displays existing and planned bikeways.

## PEDESTRIAN FACILITIES

There are limited pedestrian facilities in Paradise. The Yellowstone Kelly Heritage Trailway traverses through the town as a recreational path for families, joggers, hikers, and bikers alike. Sidewalks are present intermittently along some major roadways. Crosswalks are present intermittently at signalized and unsignalized intersections.

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<sup>1</sup> As detailed in Chapter 1000 of the Highway Design Manual (Caltrans, 2015).



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## Vehicle Miles Traveled

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Daily vehicle miles traveled (VMT) is a measure used to capture the relationship between land use and transportation and its effect on greenhouse gas emissions, since vehicle miles traveled is typically directly related to emissions. VMT is discussed in the Regulatory Setting section.

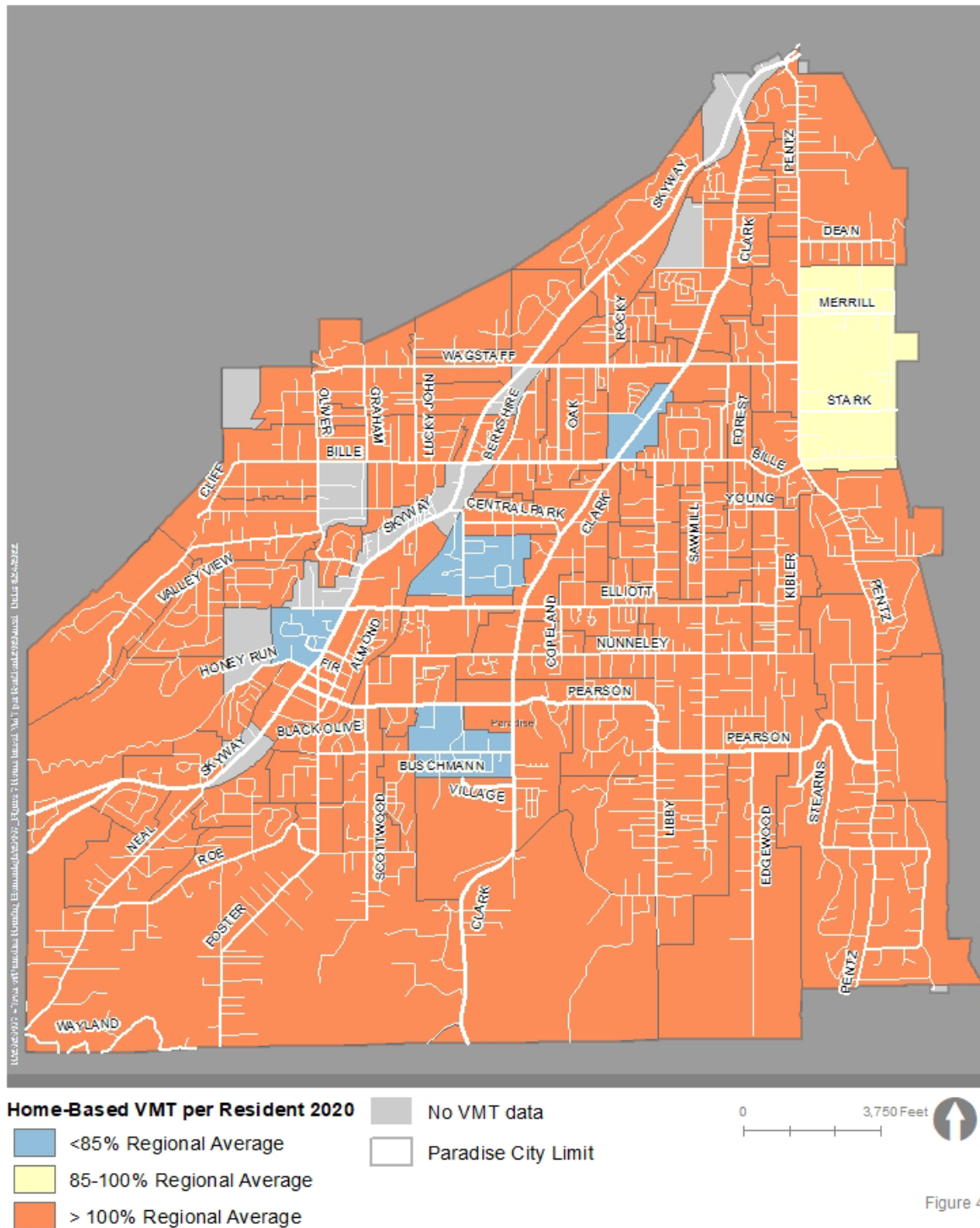
The BCAG travel demand model was referenced to assess the baseline and future year average household VMT per resident for the transportation analysis zones (TAZs) that comprise the Paradise planning area and Butte County. The BCAG Post-Camp Fire Model Update (Version 1.2) was used. Relevant to the Housing Element, the model outputs include regional household VMT per resident averages, which are shown for the County and the Town in Table 2.

**Table 2: BCAG Travel Demand Model Daily Home-Based VMT per Resident**

| Planning Area        | Model Year 2020 | Model Year 2045 |
|----------------------|-----------------|-----------------|
| Butte County Average | 11.6            | 12.3            |
| Paradise             | 15.8            | 17.5            |

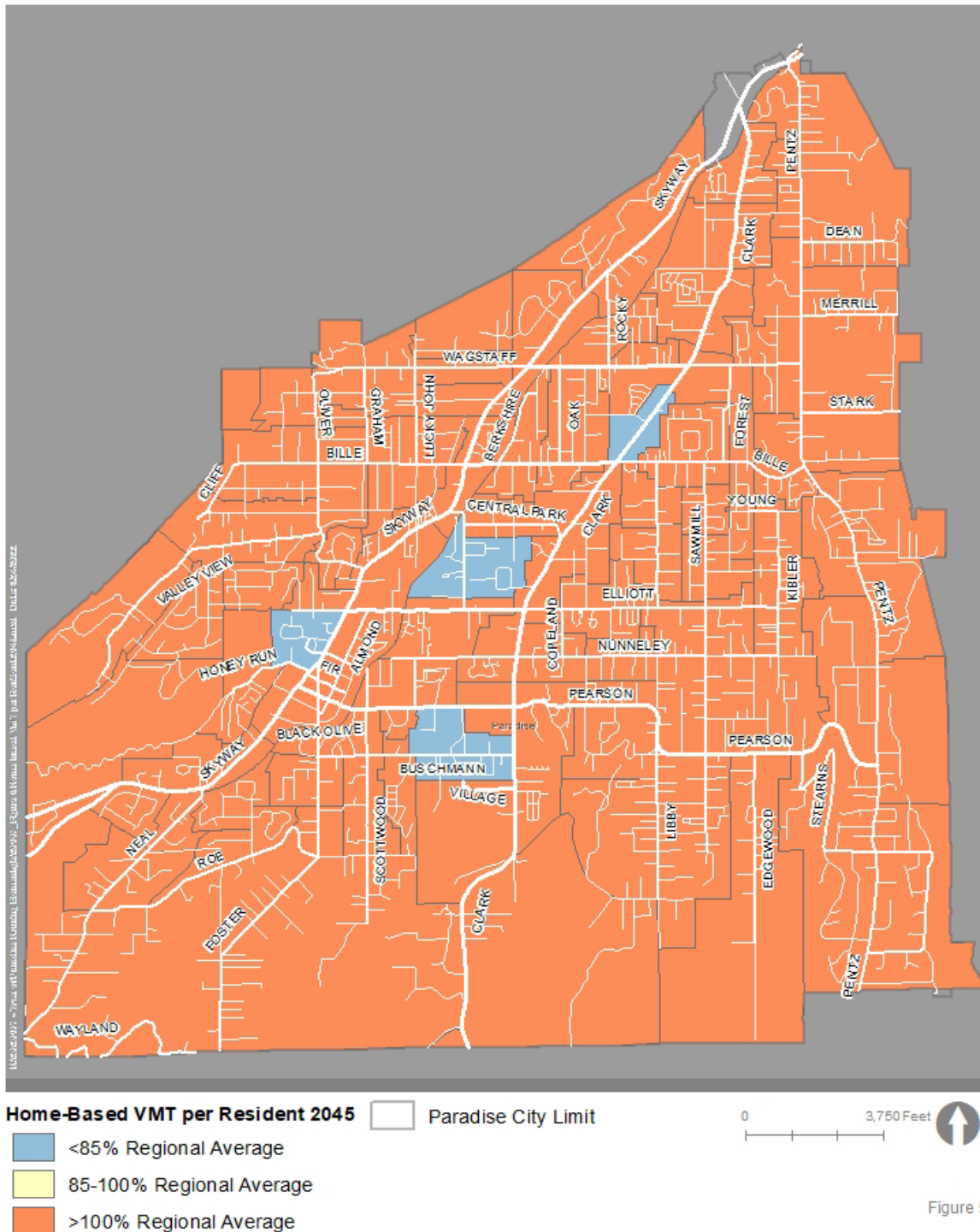
Source: BCAG

As Table 2 demonstrates, the average VMT per resident in Paradise is 36 to 42 percent higher than the county average in baseline and future year conditions, respectively. Figure 4 and Figure 5 show the low-VMT TAZs (at least 15 percent below Butte County average) within Paradise in the Model Year 2020 and 2045 (depicted as light blue polygons). Overall, a small portion of the Town is considered “low VMT,” and most of the developable area is considered a “high VMT” area in comparison with countywide averages.



**KITTELSON**  
 & ASSOCIATES

**Paradise Housing Element  
 Home-Based VMT per Resident, 2020**



**KITTELSON**  
 & ASSOCIATES

**Paradise Housing Element  
 Home-Based VMT per Resident, 2045**



## REGULATORY SETTING

This section summarizes applicable federal, state, regional, and local plans, laws, and regulations that are relevant to this analysis. This information provides a context for the discussion related to the project's consistency with applicable policies, plans, laws, and regulations.

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### Federal

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No federal plans, policies, regulations, or laws pertaining to transportation have been determined to be applicable to this project.

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### State

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#### **SENATE BILL 743**

Senate Bill 743 (SB 743) was signed into law in September 2013. Senate Bill 743 (Steinberg, 2013) required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Historically, CEQA transportation analyses of individual projects determined impacts in the circulation system in terms of roadway delay and/or capacity at specific locations. SB 743 changes include the elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts. Those proposed changes identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. Since the bill has gone into effect, automobile delay, as measured by "level of service" and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Auto-mobility (often expressed as "level of service") may continue to be a measure for planning purposes.<sup>2</sup>

In December 2018, the California Governor's Office of Planning and Research (OPR) and the State Natural Resources Agency submitted updated CEQA Guidelines to the Office of Administrative Law for final approval to implement SB 743. The Office of Administrative Law approved the updated CEQA Guidelines, thus implementing SB 743 and making VMT the primary metric used to analyze transportation impacts. The final text, final statement of reasons, and related materials are posted at <http://resources.ca.gov/ceqa>. The changes have been approved by the Office of the Administrative Law and are now in effect. For land use and transportation projects, SB 743-compliant CEQA analysis became mandatory on July 1, 2020.

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<sup>2</sup> Governor's Office of Planning and Research, 2016. Technical Advisory on Evaluating Transportation Impacts in CEQA, Implementing Senate Bill 743 (Steinberg, 2013)

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## Regional

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### BUTTE COUNTY ASSOCIATION OF GOVERNMENTS

The Butte County Association of Governments (BCAG) is the federally designated Metropolitan Planning Organization (MPO) and the state designated Regional Transportation Planning Agency for Butte County. BCAG has a 10-member Board of Directors, including each of the five Butte County Supervisors and one council person from each of the five incorporated cities/town (Biggs, Chico, Gridley, Oroville, and Paradise).

### 6<sup>th</sup> Cycle Regional Housing Needs Plan

BCAG issued the Regional Housing Needs Allocation (RHNA) for all the jurisdictions in Butte County in its Regional Housing Needs Plan in December 2020. The allocations took into consideration the 15 factors mandated in Government Code Section 65584.04(e), including the distribution of household growth in the Regional Transportation Plan (RTP), described below, and opportunities to maximize use of transit and existing transportation infrastructure. The allocation methodology also considered the lost housing units in the Camp Fire and allocated fire rebuild units to Paradise and the Unincorporated County based on actual unit loss. The fire rebuild allocation represent 60 percent of the housing units destroyed in the Camp Fire.

Table 3 shows Paradise's RHNA across the four income categories.

**Table 3: RHNA Allocations by Income Category, Town of Paradise**

| Income Level                          | Regular Growth | Fire Rebuild | Total |
|---------------------------------------|----------------|--------------|-------|
| Very Low Income (0-50% AMI)           | 73             | 310          | 383   |
| Low Income (51-80% AMI)               | 64             | 310          | 374   |
| Moderate Income (81-120% AMI)         | 32             | 1,287        | 1,319 |
| Above Moderate Income (over 120% AMI) | 173            | 4,930        | 5,103 |
| Total                                 | 342            | 6,837        | 7,179 |



## Regional Transportation Plan/Sustainable Communities Strategy

As the Regional Transportation Planning Agency, BCAG published the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) in 2020 (adopted December 10, 2020)<sup>3</sup>. BCAG also prepared and certified the 2020 Regional Transportation Plan/Sustainable Communities Strategy Supplemental Environmental Impact Report (RTP/SCS SEIR)<sup>4</sup> and adopted a Statement of Overriding Consideration for the significant and unavoidable impacts. The RTP/SCS is a planning document that specifies the policies, projects, and programs necessary over a 20 or more-year period to maintain, manage, and improve the region's transportation system. The RTP/SCS includes an Air Quality Conformity Analysis and a Program Environmental Impact Report (RTP/SCS EIR). The RTP/SCS is updated every four years.

During the 2020 RTP/SCS development, the 2018 Camp Fire in Butte County destroyed approximately 153,000 acres of property, 13,972 residences, 528 commercial buildings, and 4,293 other structures. It resulted in 85 fatalities. BCAG is responsible for developing and maintaining a regional travel model that includes estimates and projections of population, housing, land use, and travel through the RTP/SCS. The Camp Fire disrupted any ability to accurately forecast these items for the 2020 RTP/SCS. Therefore, BCAG chose to use the "best available" data at the time to complete the 2020 RTP/SCS and commission a "Post-Camp Fire Regional Population & Transportation Study" to analyze the related effects of the Camp Fire and inform the subsequent 2024 RTP/SCS.

The RTP/SCS included studying a "medium growth" scenario which included the forecasts for Paradise shown in Table 4. This forecast growth exceeds the growth associated with the project; therefore, the project's effects are consistent with the findings analyzed in the RTP/SCS.

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<sup>3</sup> 2020 *Regional Transportation Plan/Sustainable Communities Strategy, 2020-2040*. Butte County Association of Governments. December 10, 2020. <http://www.bcag.org/Planning/RTP--SCS/index.html>. Accessed January 21, 2022.

<sup>4</sup> 2020 *Regional Transportation Plan/Sustainable Communities Strategy*. Draft Supplemental Environmental Impact Report. Rincon Consultants. October 2020, certified December 10, 2020. Note that a Response to Comments Document or Final EIR was not prepared as no comments were submitted on the Draft SEIR. <http://www.bcag.org/documents/planning/RTP%20SCS/2020%20RTP%20SCS/SEIR/2020%20RTP%20-%20SCS%20SEIR.pdf>. Accessed January 21, 2022.

**Table 4: Housing Forecasts - Total Dwelling Units 2018-2040**

| Jurisdiction | 2018   | 2020  | 2025  | 2030  | 2035   | 2040   | Total Increase 2018-2040 | Percent Increase 2018-2040 |
|--------------|--------|-------|-------|-------|--------|--------|--------------------------|----------------------------|
| Paradise     | 13,091 | 1,916 | 6,490 | 9,318 | 10,811 | 11,347 | -1,744                   | -13%                       |

Note: 2018 dwelling unit count obtained from State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State, 2010-2019, with 2010 Benchmark. Sacramento, California, May 2019.

Sources: BCAG RTP/SCS

The RTP/SCS concluded that implementation of its proposed transportation improvements has the potential to interfere with achievement of VMT reductions set forth in the California Air Resource Board's 2017 Scoping Plan; therefore, RTP/SCS impacts related to VMT would be significant and unavoidable. The RTP/SCS proposes mitigation measures that must be collaboratively developed and implemented with local agencies to achieve further VMT reductions. These include the following:

#### Local-Level

1. **Increase diversity of land uses.** This strategy focuses on the inclusion of mixed uses within projects or in consideration of the surrounding area to minimize vehicle travel in terms of both the number of trips and the length of those trips.
2. **Provide pedestrian network improvements.** This strategy focuses on creating a pedestrian network within the project and connecting to nearby destinations. Projects in Butte County tend to be small, so the emphasis of this strategy would likely be the construction of network improvements that connect the project site directly to nearby destinations. Alternatively, implementation could occur through an impact fee program or benefit/assessment district targeted to various areas in the county designated for improvements through local or regional plan. Implementation of this strategy may require regional or local agency coordination and may not be applicable for all individual land use development projects.
3. **Provide traffic calming measures and low-stress bicycle network improvements.** This strategy combines the California Air Pollution Control Officers Association (CAPCOA) research focused on traffic calming with new research on providing a low-stress bicycle network. Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. Building a low-stress bicycle network produces a similar outcome. Implementation options are similar to strategy 2 above. One potential change in this strategy over time is that e-bikes (and e-scooters) could extend the effective range of travel on the bicycle network, which could enhance the effectiveness of this strategy.
4. **Implement car-sharing program.** This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Note that implementation of this strategy would require regional or local agency implementation

and coordination and would not likely be applicable for individual development projects.

5. **Increase transit service frequency and speed.** This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given land use density in Butte County, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations or require new forms of demand-responsive transit service. The demand-responsive service could be provided as subsidized trips by contracting to private Transportation Network Companies (TNCs, such as Uber, Lyft, and Via) or taxi companies. Alternatively, a public transit operator could provide the subsidized service but would need to improve on traditional cost effectiveness by relying on TNC ride-hailing technology, using smaller vehicles sized to demand, and flexible driver employment terms where drivers are paid by trip versus by hour. Note that implementation of this strategy would require regional or local agency implementation, substantial changes to current transit practices, and would not likely be applicable for individual development projects.
6. **Implement subsidized or discounted transit program.** This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by incentivizing individuals to use transit for their daily commute. This strategy depends on the ultimate building tenants—whether residential landlords or businesses—and may require monitoring. This strategy also relies on B-Line continuing to provide similar or better service throughout the county, in terms of frequency and speed.
7. **Encourage telecommuting and alternative work schedules.** This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. The effectiveness of the strategy depends on the ultimate building tenants and the nature of work done by tenants' employees (can the work be done remotely in the first place?); two factors that should be considered for potential VMT reduction. Effectiveness may also be limited in more rural areas of the county with limited broadband access.
8. **Provide ride-sharing programs.** This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants, which depends on the ultimate building tenants; this should be a factor in considering the potential VMT reduction.

### Regional

Implementing agencies shall require project modifications during the project design and environmental review stage of project development that would reduce VMT effects. For roadway capacity expansion projects, this would include but is not limited to demand management through transportation systems management and operations (TSMO) including the use of pricing.

The Town has subsequently adopted the RTP/SCS and implemented the recommended local-level mitigation measures as Town policy.

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## Local

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### **TOWN OF PARADISE 1994 GENERAL PLAN (AS AMENDED THROUGH OCTOBER 2010)**

The Town of Paradise last adopted its General Plan in 1994, with amendments through 2010. It serves as the Town's guide for continued development and enhancement. The following goals, objectives, policies, and implementation measures related to transportation and circulation are applicable to the project:

#### **Circulation Goals**

- CG-1 Support cooperative and coordinated transportation planning and development activities with federal, state, regional, and local agencies in order to assure maximum coordination of effort in the Paradise region.
- CG-2 Provide safe, efficient, and effective traffic flow, both within Paradise and between Paradise and its environs.
- CG-3 Enhance and improve pedestrian and bicycle safety and use by establishing additional linkages between areas of town.
- CG-4 Provide adequate access, including access for emergency vehicles and evacuation, to all new parcels and to existing parcels when feasible.
- CG-5 Maintain and improve local and regional air quality.
- CG-6 Reduce reliance on the automobile by careful land use planning and encourage the use of non-automobile travel modes through a balanced and integrated set of land use and transportation planning policies.

#### **Circulation Objectives**

- CO-3 Assure that traffic generated by high density residential land use development will not exceed roadway capacity and level of service standards.
- CO-5 Plan and complete public street improvements to accommodate projected traffic during the planning period.
- CO-6 As necessary, revise and update both the bicycle and pedestrian and the Paradise Memorial Trailway master plans.
- CO-10 Encourage efforts to significantly reduce reliance on the private automobile during the fifteen year planning period.

## Circulation Policies

- CP-1 The town shall strive to maintain a level of service (LOS) "D" or better as the standard for new and existing roadways in the Paradise planning area. LOS "D" or better should be maintained on all local streets within the town limits, and LOS "C" or better should be maintained whenever feasible.
- CP-4 New land use development shall be required to mitigate its share of the circulation impacts it creates.
- CP-5 Methods of recovering costs associated with use of roadways within the Town of Paradise by residents of the Upper Ridge should be explored, including imposition of development impact fees.
- CP-10 Safe paths for pedestrians, equestrians, and bicyclists should be provided, particularly for school children and the elderly. A sidewalk and pathway development program should be instituted for selected locations and where feasible should link with the Paradise Memorial Trailway.
- CP-12 The Town shall encourage Butte County to require development applications within the secondary planning area [Sphere of Influence] to dedicate and improve streets to town standards and to provide other transportation improvements (e.g., bus stops, park-and-ride lots).
- CP-13 Automobile dependency within Paradise should be reduced for local residents and visitors by implementing congestion management and trip reduction plan programs that decrease the number of vehicle miles travelled which, in turn, reduces air pollution and congestion and saves energy.
- CP-14 As staff and funding become available, expanded transit services for seniors and the handicapped should be promoted in accordance with the results of future studies.
- CP-15 Expand public transportation services within Paradise and between Paradise and major employment centers as feasible, based on service demand and financial constraints.
- CP-17 Whenever the LOS "D" is reached on roadways within Paradise, the town shall explore all feasible alternatives for improving traffic flow, rather than automatically implementing a road widening project.
- CP-19 As staff and resources become available, the town should strive to increase the transit opportunities for children and senior citizens in the community.

## Circulation Implementation Measures

- CI-3 Establish a town wide development impact fee program, and review and update on an annual basis.
- CI-6 Identify locations for sidewalks and pathways along existing major collector and arterial roadways as well as standards for requiring sidewalks adjacent to new developments.
- CI-7 Require new development to provide a pedestrian pathway on at least one side of new public streets and new private roads (if feasible).
- CI-8 Improve shoulders of some roads to make them safer for pedestrians and bicyclists and relocate mailboxes where feasible from sidewalks.
- CI-9 Require transportation facilities such as bus stops to be incorporated into major new developments.

As listed above, the General Plan has goals, objectives, policies, and implementation measures related to maintaining mobility as measured through Level of Service (LOS). However, LOS is no longer deemed an appropriate transportation measure of environmental impact under CEQA and is therefore not relevant to this memorandum focusing on CEQA impacts.

## TRANSPORTATION MASTER PLAN

The Town is currently developing its comprehensive *Transportation Master Plan* (TMP). The TMP will guide long-term transportation improvements. Key components of the TMP include:

- **Traffic needs analysis:** This analysis will recommend improvements to the roadway system serving connections to schools, parks, shopping areas, jobs, and local homes. The recommended concepts will address traffic and circulation needs for all roadway users.
- **Traffic evacuation planning:** This planning analyzes the Town's transportation network to serve traffic evacuation needs and will address pinch points, improve the backbone network, identify new connections, facilitate operations during an evacuation, and coordinate with regional partners and public safety responders.
- **Active Transportation Plan:** This plan will evaluate opportunities for walking paths, sidewalks, and bikeways and will position the Town to pursue grant funding for implementation.

Other components of the TMP include economic/redevelopment support, new roadway standards, and major projects coordination.

As part of the evacuation planning, the Town is determining major and secondary evacuation routes, potential areas of congestion, and opportunities for roadway extensions and connections on dead-end streets for additional routes and increased evacuation capacity. Figure 6 shows identified draft proposed roadway modifications, which include:

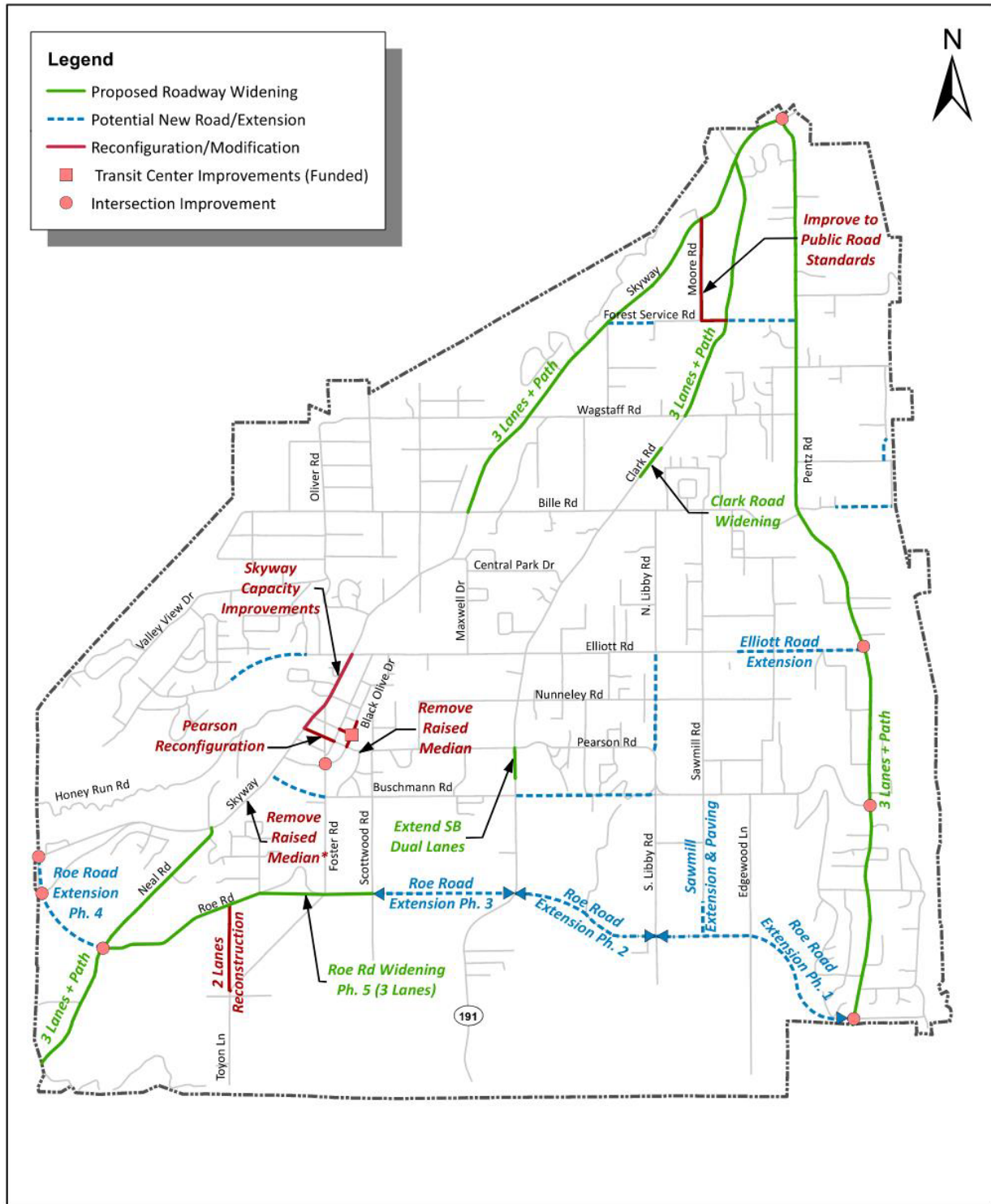
- Roadway widening, particularly downtown Skyway between Elliott Road and Pearson Road

- Roadway widening plus a multiuse path for emergency response along segments of Skyway, Clark Road, and Pentz Road.
- Roadway extensions including Roe Road and Elliot Road
- Intersection modifications

Figure 7 and Figure 8 show proposed evacuation routes and modifications to serve those routes.



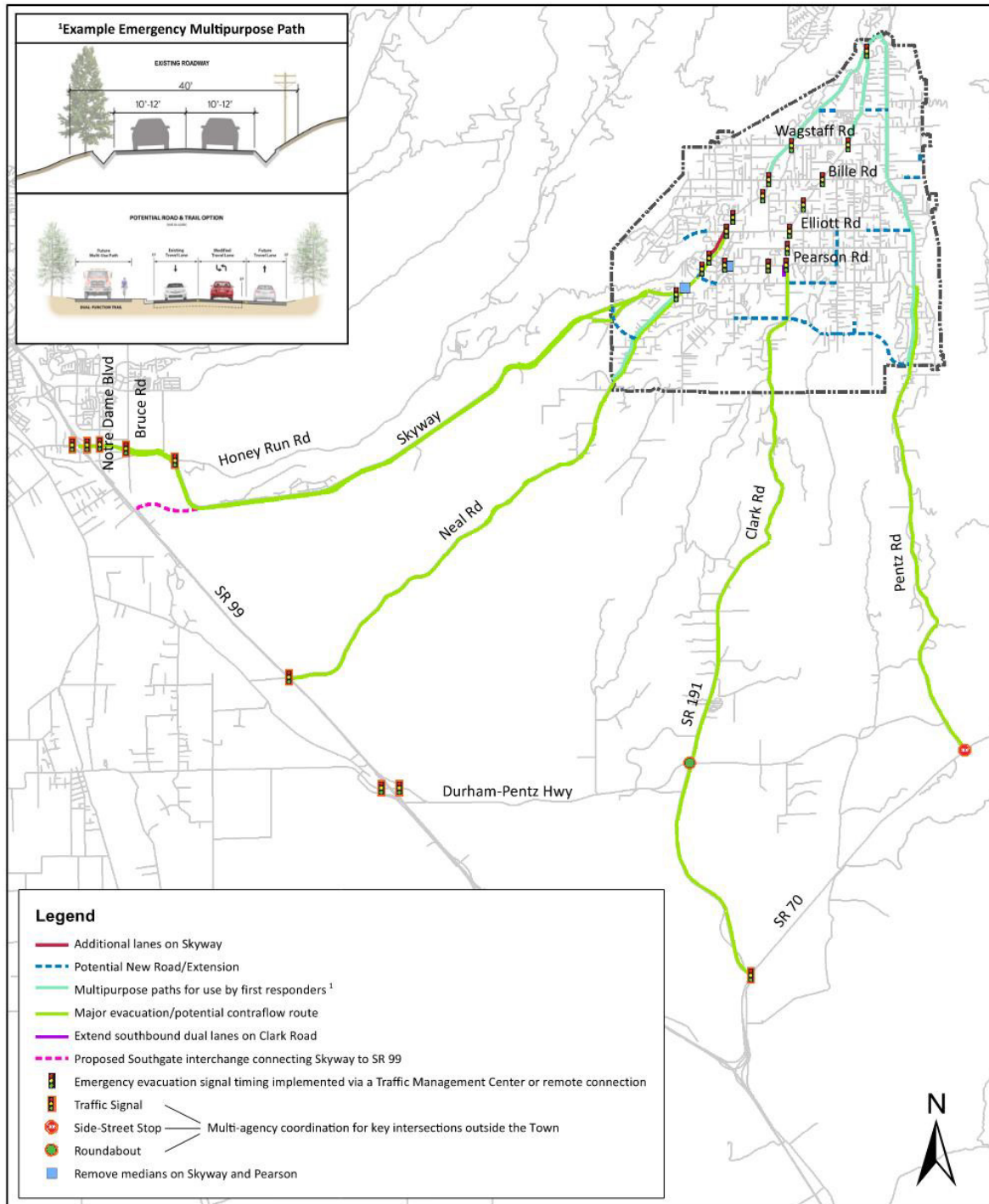
**Figure 6: DRAFT Roadway Modifications as Part of Paradise TMP**



Source: Headway Transportation, Town of Paradise

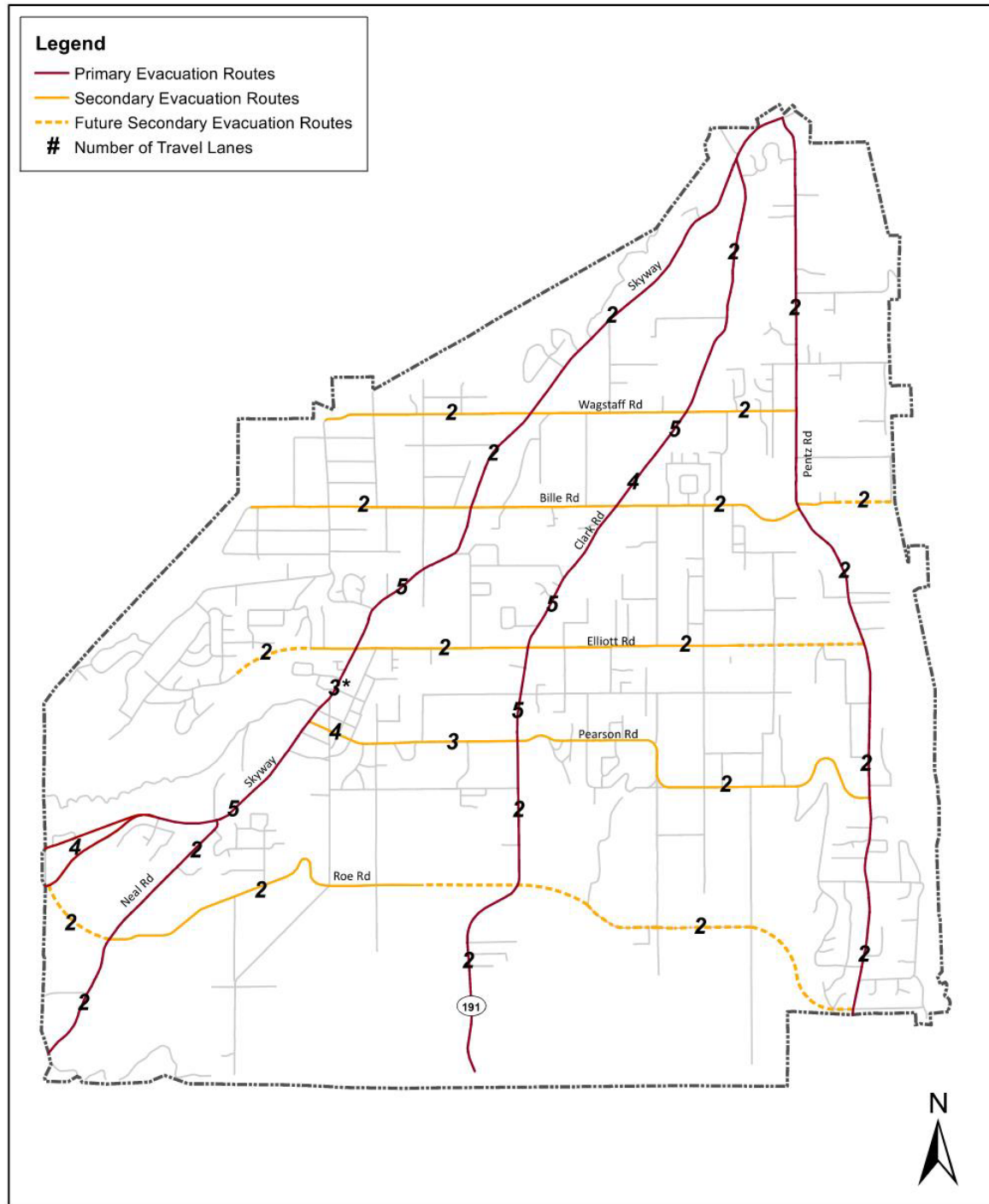


**Figure 7: DRAFT Planned Evacuation Modifications**



Source: Headway Transportation, Town of Paradise

Figure 8: Paradise Major Evacuation Routes



Source: Headway Transportation, Town of Paradise

## TRANSPORTATION ANALYSIS

This transportation analysis assesses how the study area's transportation system would operate with the implementation of the proposed project. This analysis includes effects that would result in significant impacts under the California Environmental Quality Act (CEQA) guidelines.

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### CEQA Significance Criteria

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The project's impact is not considered to be significant unless it would:

- a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- b. Conflict or be inconsistent with CEQA Guideline section 15064.3, subdivision (b).
- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- d. Result in inadequate emergency access.

Significance criteria "b" is related to the implementation of vehicle miles traveled (VMT) as the primary performance metric. The following criterion is used to assess a significant impact related to VMT consistent with considerations presented in the BCAG SB 743 Implementation study dated June 2021:<sup>5</sup>

- A proposed residential project in an area exceeding a level of 15 percent below existing regional average home-based VMT per resident (also referred to as 85 percent threshold) would result in a significant VMT impact. Home-based VMT per resident includes all automobile (i.e., passenger cars and light-duty trucks) vehicle-trips that start or end at the home but excludes non-home-based trips made by residents elsewhere in the transportation network.

The baseline for comparison is the 2020 model base year which is based on 2020 land use levels, but more "typical" pre-COVID travel patterns.

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### VMT Analysis

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As described in the Existing Conditions section, the BCAG travel demand model was referenced to assess the baseline and future year average household VMT per resident for the TAZs that comprise the Paradise planning area and Butte County. The table demonstrating comparative

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<sup>5</sup> BCAG SB 743 Implementation, Fehr & Peers. June 2021. <http://www.bcag.org/Planning/SB-743-Implementation-Study/index.html>. Accessed January 21, 2022.

VMT is recreated in Table 5, with the addition of the level that would represent 15 percent below the countywide average.

**Table 5: BCAG Travel Demand Model Daily Home-Based VMT per Resident**

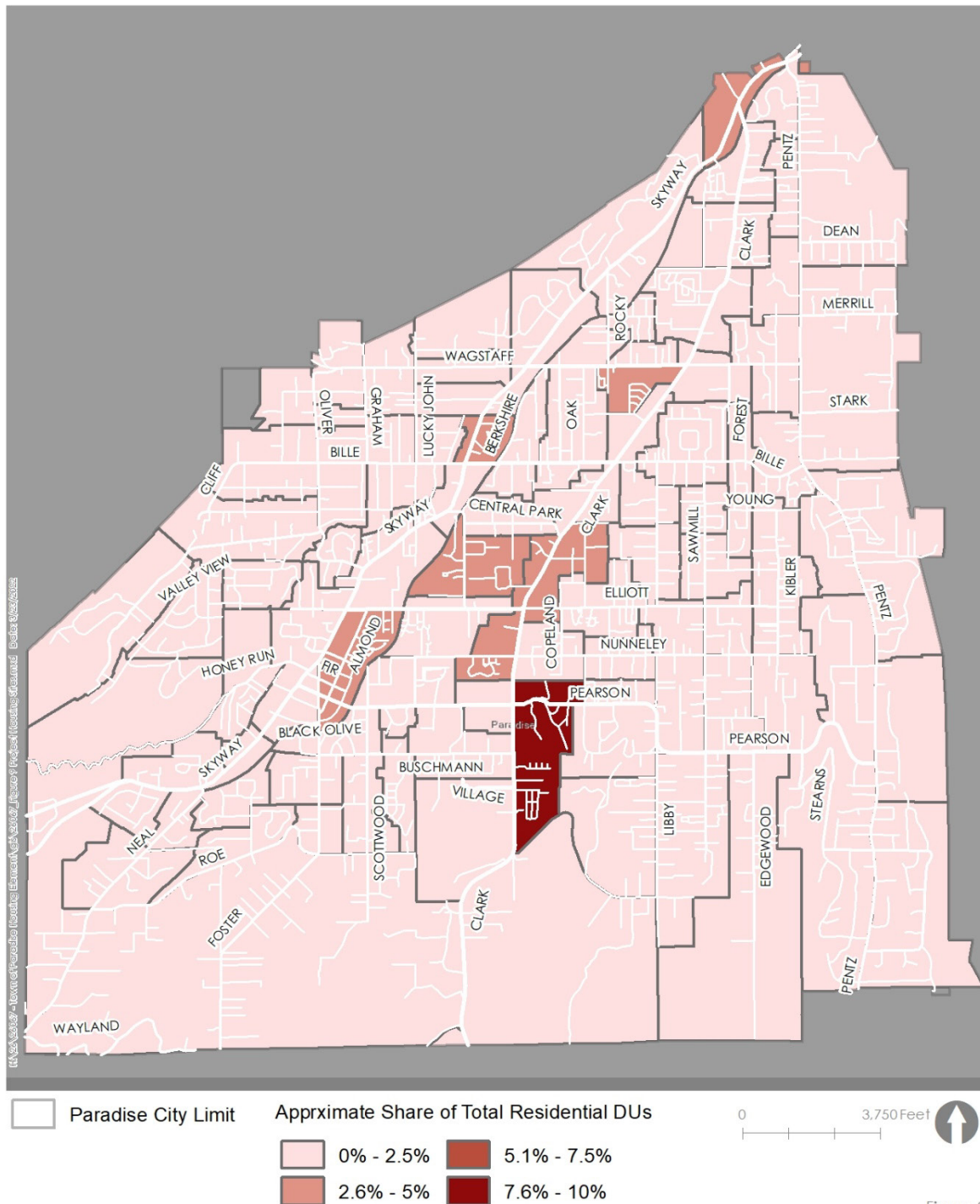
| Planning Area                                     | Model Year 2020 | Model Year 2045 |
|---|-----------------|-----------------|
| Butte County Average<br>(Resulting 85% Threshold) | 11.6            | 12.3            |
| Level at 15% Below County<br>Average              | 9.9             | 10.5            |
| Paradise  | 15.8            | 17.5            |

Source: BCAG

As Table 5 demonstrates, the average VMT per resident in Paradise is 60 or more percent higher than the impact threshold of 15 percent below existing regional average home-based VMT per resident. The SB 743 guidelines also allow for comparison of VMT values within the Town. For the project to result in VMT below the 15% reduction threshold, proposed residential development would need to be concentrated in low-VMT areas within the Town.

The approximate locations of planned dwelling units for the housing element were compared to model outputs at a screening level to assess whether the Housing Element may, in aggregate, be building in low VMT areas and therefore result in less-than-significant VMT impacts.

Figure 9, compared against Figure 4 and Figure 5, demonstrates that the proposed residential development is not concentrated in low-VMT areas and therefore would more contribute to more residential development in high VMT areas.



**KITTELSON**  
 & ASSOCIATES

**Paradise Housing Element  
 Project Sites**

## CEQA PROJECT IMPACTS AND PROPOSED MITIGATIONS

### THRESHOLD: WOULD THE PROJECT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES?

**Impact TRANS-1      The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. This would be considered a less-than-significant impact.**

Development associated with the proposed project would increase the residential density within the Town of Paradise, comprised largely of reconstructing dwelling units destroyed by the 2018 Camp Fire. No components of the proposed project conflict with the General Plan goals, objectives, policies, and implementation measures previously described. Similarly, no aspect of the planned increase in housing development and residential density conflicts with existing or planned bicycle facilities, rail facilities, or transit service. Additionally, development that occurs as part of the project (Housing Element implementation) will comply with the policies adopted by the Town as part of its adoption of the RTP/SCS. Policies in the RTP/SCS will promote future residential development to align with existing regional programs, plans, ordinances, and policies:

- **Provide pedestrian network improvements.** Network improvements that connect individual sites to existing networks and nearby destinations would improve opportunities for walking in Paradise.
- **Provide traffic calming measures and low-stress bicycle network improvements.** Providing low-stress bicycle infrastructure that connects areas of proposed development to existing and planned networks would improve opportunities for biking in Paradise.
- **Implement subsidized or discounted transit program.** Whether implemented on a project-by-project basis or programmatically with applicability to future residents, subsidized transit would improve opportunities for people to take transit to, from, and within Paradise.

No mitigation measures would be required. This conclusion is consistent with the RTP/SCS Impact T-1 finding.

### THRESHOLD: WOULD THE PROJECT CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B) - A PROPOSED RESIDENTIAL PROJECT IN AN AREA EXCEEDING A LEVEL OF 15% BELOW EXISTING REGIONAL AVERAGE HOME-BASED VMT PER RESIDENT?

**Impact TRANS-2      Implementation of the project would conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) - A proposed residential project in an area exceeding a level of 15% below existing regional average home-based VMT per resident. This would be considered a significant impact.**



As described in the VMT Analysis section and shown in Figure 9, the majority of proposed residential development under the project would be located in areas in which residents on average generate at least 85% of the regional daily residential vehicle miles traveled on a per resident basis ("high VMT areas"). Therefore, the project would conflict with CEQA guidelines and regional VMT reduction goals consistent with the findings of the RTP/SCS EIR.

As described above, BCAG certified the RTP/SCS SEIR and adopted a statement of overriding considerations for the significant and unavoidable impacts. The Town of Paradise subsequently relied on the BCAG's EIR and adopted the updated RTP/SCS and also adopted findings of overriding consideration. The finding that implementation of the project would result in a significant VMT impact is consistent with the findings of the RTP/SCS EIR. As part of adopting the RTP/SCS, the Town committed to the policies in the plan as well as the local-level mitigation measures from the EIR, as a result, the following mitigation measures are applicable to the project:

1. Increase diversity of land uses.
2. Provide pedestrian network improvements.
3. Provide traffic calming measures and low-stress bicycle network improvements.
4. Implement car-sharing program.
5. Increase transit service frequency and speed.
6. Implement subsidized or discounted transit program.
7. Encourage telecommuting and alternative work schedules.
8. Provide ride-sharing programs.

On April 12, 2022, the Town adopted the VMT policies based upon the BCAG required mitigation measures for air quality and transportation as Resolution 2022-24. Therefore, some subsequent residential projects that may have resulted in an impact would be reduced to less than significant. Programmatically however, that cannot be guaranteed. Therefore, this impact would remain significant and unavoidable consistent with the findings of the RTP/SCS Impact T-2 finding and no additional mitigation is needed.

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**THRESHOLD: WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?**

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**Impact TRANS-3      Implementation of the project would not substantially increase hazards due to a geometric design feature or incompatible uses. This would be considered a less-than-significant impact.**

The project designates future feasible sites for residential development and is proposing to increase the amount and density of residential land uses. The Housing Element includes programs to rezone land within the Town's planned Sewer Service Area. A Sewer Service Overlay Zoning District would be established with implementation of the project that would apply only when the sewer is implemented. Most notably, the Sewer Service Overlay Zone would increase the allowed residential density in the Community Facilities (C-F) zone from 1 dwelling unit per acre to 20 dwelling units per acre. Other changes would be less substantial, and the project

identifies residential development sites only where adjacent land uses are compatible. Therefore, the project would not introduce incompatible land uses.

The Safety Element also contains programs and policies related to updating the transportation network, but it does not propose new roadway design features. Rather, any future residential development covered in this project would be subject to local development review to include a review of design features and would be required to comply with all local and state design guidelines. Two policies from the Safety Element related to emergency access are included below:

- **Implement other circulation improvements in the Transportation Master Plan that will provide benefits for emergency preparedness, response, and evacuation.** The Town will include emergency vehicle access requirements in the Paradise Municipal Code subdivision and zoning ordinances, Town-adopted road standards, and Town-adopted current California Fire Codes. Through the development review process and in accordance with the Butte County Community Wildfire Protection Plan, adequate roads shall be required to be constructed and/or improved for emergency vehicle access, particularly in high wildland fire hazard areas.
- **Continue to limit the densities of development on parcels that do not have adequate emergency access.** At a minimum, the Town will not approve any discretionary permit or project that requests an increase of existing residential density on parcels that are served access by either an existing or resultant cul-de-sac exceeding a maximum length of 1,800 lineal feet. The Town will look to the Transportation Master Plan and Board of Forestry for guidance on potentially developing more stringent access requirements. New development will be assessed on a project basis to ensure that new land uses will not cause emergency responses times to fall below acceptable levels. The Town will strive to maintain an overall fire insurance (ISO) rating of three or better, and an emergency fire response within five minutes for 90 percent of all emergency incidents within the Town Limits.

For the reasons above, the project is not anticipated to cause a substantial increase in hazards due to design features or incompatible uses. No mitigation measures would be required. This conclusion is consistent with the RTP/SCS Impact T-3 finding.

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#### THRESHOLD: WOULD THE PROJECT RESULT IN INADEQUATE EMERGENCY ACCESS?

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**Impact TRANS-4      Implementation of the project would not result in inadequate emergency access. This would be considered a less-than-significant impact.**

As individual residential projects designated in this project come online, the Town will coordinate with individual projects to ensure that emergency routes are not blocked and remain available during construction.

There are no other components of the project that would have the potential to impact emergency access. No mitigation measures would be required. This conclusion is consistent with the RTP/SCS T-4 finding.



## APPENDIX B

**EXHIBIT "A"**

**TOWN OF PARADISE  
RESOLUTION NO. 2022-24**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE ADOPTING CEQA  
FINDING, ADOPTING THE TOWN OF PARADISE'S STATEMENT OF OVERRIDING  
CONSIDERATIONS, AND THEREAFTER APPROVING ITS VMT POLICIES**

**WHEREAS**, the Town of Paradise is a member of BCAG and participated in the preparation and adoption of the 2020 update of the Butte County Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS); and

**WHEREAS**, as the Town recovers from the Camp Fire, it needs to adopt policies and procedures to anticipate and mitigate environmental issues which may arise from the return of its population, as well as to be in compliance with current environmental rules and regulations; and

**WHEREAS**, the Town has pending projects which require the initial adoption of such policies, specifically including but not limited to the adoption of the updated Housing Element; and

**WHEREAS**, the Butte County Association of Governments (BCAG) is the designated Metropolitan Planning Organization (MPO) comprised of six member agencies: Butte County, the cities of Biggs, Chico, Gridley, Oroville, and the Town of Paradise; and

**WHEREAS**, BCAG is the agency responsible for maintaining a continuing, cooperative, and comprehensive transportation planning process which will result in a Regional Transportation Plan and Sustainable Communities Strategy pursuant to 23 U.S.C. 134(a) and (g), 49 U.S.C. §5303(f); 23 C.F.R. §450, and 49 C.F.R. §613; and

**WHEREAS**, BCAG was the Lead Agency in preparing the Regional Transportation Plan and Sustainable Communities Strategy and its supporting Supplemental program EIR in compliance with the California Environmental Quality Act (CEQA) [Cal. Pub. Res. Code § 21000 et seq.]; and

**WHEREAS**, BCAG determined that a Supplemental program EIR (SEIR) consistent with CEQA Guidelines Section 15163 and pursuant to CEQA Guidelines Section 15168(a) was appropriate to assess the environmental impact of the 2020 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) for the Butte County region and thereafter that SEIR was circulated, reviewed and certified on or about December 10, 2020; and

**WHEREAS**, BCAG was the Lead Agency in preparing the Regional Transportation Plan and Sustainable Communities Strategy and its supporting Supplemental EIR in compliance with the California Environmental Quality Act (CEQA) [Cal. Pub. Res. Code § 21000 et seq.]; and

**WHEREAS**, pursuant to Guidelines Section 15152 (2), use of the SEIR is appropriate for subsequent and narrower projects such as policies of a lesser scope and specific for the adoption of the VMT policies, which is the project here; and

**WHEREAS**, pursuant to Guidelines Section 15168(c), later activities in the program covered by the SEIR now must be examined by the Town to determine whether an additional environmental document must be prepared for its adoption of the VMT policies, and if the agency finds that there are no effects that were not examined in the program EIR, the environmental review for the project may tier from the SEIR pursuant to Guidelines Section 15162; and

**WHEREAS**, the Town has examined the adoption of the VMT policies and finds that their adoption is within the scope of the SEIR based upon the provisions of the BCAG SEIR as referenced in this resolution and the Town's adoption of the specific mitigation measures set out in the SEIR and consistency of the policies with the general plan and allowable land uses.

**WHEREAS**, because the Town is adopting the required VMT analysis and mitigation measures (Measure T-1) set out in the SEIR, tiering from that program EIR not only is appropriate but is required under Public Resources Code Section 21093 and 21094, which provide that to avoid repetition, wasted time and speculation, certain projects are intended to be tiered and overall impacts need not be reassessed, but the CEQA analysis may be based upon their tier 1 SEIR; and

**WHEREAS**, the adoption of the Town VMT policies is consistent with the provisions of the SEIR and is required by them; and

**WHEREAS**, the adoption of the Town VMT policies is consistent with the Town General Plan and zoning ordinance; and

**WHEREAS**, the adoption of the Town VMT policies does not make changes to existing or create new information necessitating additional environmental review at this time, and the application of the policies to each specific project will be reviewed with that project; and

**WHEREAS**, it is appropriate for the Town to tier the environmental review for the adoption of the policies from the information in the SEIR; and

**WHEREAS**, no Mitigation and Monitoring Plan is needed as the adoption of the policies constitute such a mitigation and monitoring plan; and

**WHEREAS**, pursuant to CEQA Guidelines Section 15093(b), where the decision of the public agency may cause the occurrence of significant effects which are identified in an EIR but

which cannot be avoided or substantially lessened, even with mitigation, the agency must issue a Statement of Overriding Considerations setting forth the specific reasons to support its actions based on the Final EIR or other information in the record; and

**WHEREAS**, the Town cites the following BCAG analysis that explains the basis for the State of Overriding Considerations:

Impact T-2 IMPLEMENTATION OF PROPOSED TRANSPORTATION IMPROVEMENTS UNDER THE 2020 RTP/SCS HAVE THE POTENTIAL TO INTERFERE WITH ACHIEVEMENT OF THE VMT REDUCTIONS SET FORTH IN CARB'S 2017 SCOPING PLAN. IMPACTS WOULD BE GREATER THAN THE 2016 RTP/SCS AND SIGNIFICANT AND UNAVOIDABLE.

The 2020 RTP/SCS is based on planned population and employment growth in Butte County, consistent with the General Plans of Butte County and the Cities of Biggs, Chico, Gridley, Oroville, and Paradise. In addition, since the BCAG travel demand forecasting model is used for the analysis of the 2020 RTP/SCS, regional employment and population forecasts and the corresponding transportation system of the 2020 RTP/SCS are also incorporated.

Table 4.9-1 provides estimates of total VMT generated for Butte County for each analyzed scenario. As shown in Table 4.9-1 compared to 2018 baseline conditions, the total VMT in Butte County would increase in 2040 regardless of the potential implementation of the 2020 RTP/SCS. This increase is due to regional population growth that would occur in the County independent of policy and land use decisions by BCAG. As compared to the 2040 No Project scenario, the 2020 RTP/SCS would decrease the total VMT in the region by approximately 14 percent.

The overall County data provided as part of Section 4.9 *Transportation and Circulation* includes information from Paradise. For example, maps on Figure 4.9-1 include roadways in Paradise and Section 4.9.1 indicates Bus Route 31 between Paradise and Oroville has been suspended as a result of the Camp Fire. The supplemental analysis regarding the Camp Fire provided along with the 2020 RTP/SCS indicates that the fire has caused increased trips as people travel to jobs from relocated homes and as equipment and building supplies come into Paradise. While Table 4.9-1 provides estimates of total VMT for Butte County, the results of that analysis are correct for Paradise.

**Table 4.9-1 Total Vehicle Miles Traveled – Butte County**

| Variable                    | Baseline (2018) | 2040 No Project | 2040 Plus Project |
|-----------------------------|-----------------|-----------------|-------------------|
| Total VMT <sup>1</sup>      | 4,705,417       | 6,216,655       | 5,332,327         |
| % Change from Baseline      | N/A             | 32.1%           | 13.3%             |
| % Change from No Project    | N/A             | N/A             | -14.2%            |
| Population                  | 227,621         | 319,342         | 265,964           |
| <b>Total VMT per Capita</b> | <b>20.7</b>     | <b>19.5</b>     | <b>20.0</b>       |

|                                 |              |              |
|---------------------------------|--------------|--------------|
| <b>% Change from Baseline</b>   | <b>-5.8%</b> | <b>-3.4%</b> |
| <b>% Change from No Project</b> |              | <b>2.5%</b>  |

<sup>1</sup> Includes total VMT for Butte County, excluding external-to-external trips. Estimates and forecasts from 2020 RTP/SCS BCAG travel demand forecasting model.

Source: Appendix D

VMT per capita is a proxy for the SB 375 metric of GHG based on VMT within Butte County. While total VMT is lower with implementation of the 2020 RTP/SCS when compared to the No Project scenario, VMT per capita is higher in the 2020 RTP/SCS scenario as compared to the No Project scenario. Total VMT is higher, while VMT per capita is lower because the No Project scenario estimate is based on the adopted 2016 RTP/SCS and includes a much higher population as result of decreased growth projected by the California Department of Finance and losses associated with the Camp Fire for the 2020 RTP/SCS. As a result, the forecast assumed more development and more dense development, including in the Paradise area than is analyzed in the 2020 RTP/SCS. The 2020 RTP/SCS assumes both lower population and lower population density with rebuilding in Paradise, which results in higher VMT per capita even with lower total VMT. Compared to baseline 2018 conditions, VMT per capita is around three percent lower with implementation of the 2020 RTP/SCS.

The VMT per capita decline indicates that the projected land use and planned transportation improvements assumed in the 2020 RTP/SCS would effectively work together to improve system efficiency, as compared to 2018 baseline conditions.

Notwithstanding past and projected progress on VMT reductions in the BCAG region, recent progress reports on the state's climate goals suggest that additional VMT reductions are required. Both in its target resetting process and in its 2018 progress report pursuant to SB 150, CARB noted:

- The regional 2035 GHG emissions reduction targets under SB 375 are not adequate to fully meet the goals of the state's 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target. As CARB noted, "An RTP/SCS that meets the applicable SB 375 targets alone will not produce the GHG emissions reductions necessary to meet state climate goals in 2030 nor in 2050." CARB identified a 6 percent gap between the 19 percent emissions reductions targets set for the regions (over a base year of 2005) and the 25 percent reductions required to meet the Scoping Plan goal.
- Much greater reductions in VMT will be required to meet the state climate goals for 2030 and 2050. CARB concluded that a 14.3 percent reduction in daily VMT per capita and a 16.8 percent reduction in light-duty VMT per capita (over current conditions; 2015-2018) was needed to meet these goals.

- California – at the state, regional, and local levels – has not yet gone far enough in making the systemic and structural changes to how we build and invest in communities that are needed to meet state climate goals. It will take collaboration among all these levels of government to achieve the state’s climate goals because the MPOs do not have the land use authority or resources to meet this challenge alone.

The 2020 RTP/SCS’s proposed three percent reduction in total VMT per capita by 2040 would not support achievement of the 14.3 percent identified by CARB statewide. As a result, the potential of the 2020 RTP/SCS land use pattern and transportation improvements to substantially interfere with achievement of the VMT reductions set forth in CARB’s 2017 Scoping Plan (as part of the regional strategy) is considered potentially significant.

With implementation of Mitigation Measure T-1, this impact would be reduced to less than significant for some projects, although additional state policy actions and funding would be required to close the gap at the state level. For projects proposing to streamline environmental review, lead agencies must conduct project-level analysis for each project to analyze whether, based on substantial evidence in the record, the proposed mitigation would reduce the impact to less than significant. However, BCAG cannot require Butte County and the cities of Biggs, Chico, Gridley, Oroville, and Paradise to adopt these mitigation measures, and it is ultimately the responsibility of these agencies to determine and adopt project-specific mitigation. Therefore, Impact 4.9-2 remains significant and unavoidable.

**WHEREAS**, the Town therefore adopts its own Notice/Statement of Overriding Considerations, as follows:

The Town of Paradise hereby finds that mitigation measures have been identified in the BCAG SEIR which are implemented by the Town’s VMT Policies will reduce the Project’s incremental contribution to the following significant cumulative impacts, but not to a less than significant level:

- Impact T-2; Mitigation Measure T-1

The Town adopts and makes this statement of overriding considerations concerning the Project’s unavoidable significant impacts to explain why the project’s benefits override and outweigh its unavoidable impacts.

The adoption of the VMT policies will still result in significant and unavoidable impacts because achievement of the vehicle miles traveled reductions set forth by the state cannot be accomplished as a result of the decreased population growth within Paradise and changed travel patterns per capita as a result of the Camp Fire, as well as overall state policies and related requirements as explained above.

Each benefit set forth below constitutes an overriding consideration warranting approval of the VMT Policies, independent of the other benefits, despite each and every unavoidable impact.

- a. The implementation of the VMT Policies will assist with transportation and projects that will provide for a comprehensive transportation system that assist the Town in recovering from the Camp Fire.
- b. The VMT Policies will assist in improving transportation mobility and accessibility in the county.
- c. The VMT Policies will assist in improve air quality by reducing emissions of ozone precursors.
- d. The VMT Policies will assist in setting policies that contribute to a reduction in greenhouse gas (GHG) emissions from passenger vehicles and light trucks as projects are implemented post-Camp Fire.
- e. Adoption of the VMT Policies at this time will allow their inclusion in projects going forward as the Town recovers from the Camp Fire.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE that:**

1. The Recitals set out above are true and correct.
2. The adoption of the Town's VMT Policies was completed in compliance with the California Environmental Quality Act.
3. The Town Council has reviewed and considered the information contained in this Resolution and the attachments to it.
4. The findings reflect the Town Council's independent judgment and analysis.
5. Based on and incorporating all of the foregoing recitals and findings supported by substantial evidence in the record and set forth in the "Findings and Statement of Overriding Considerations," included here, the Town Council hereby tiers its environmental review from the BCAG Final SEIR for the 2020 RTP/SCS and instructs staff to file a Notice of Determination.
6. The Town Council hereby approves the Town's VMT Policies in the form set out on Exhibit "B" and attached and incorporated by reference.
7. This Resolution shall be effective immediately.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise this 12<sup>th</sup> day of April 2022  
by the following vote:

|                 |  |
|-----------------|--|
| <b>AYES:</b>    | Greg Bolin, Steve "Woody" Culleton, Jody Jones, Rose Tryon and<br>Steve Crowder, Mayor |
| <b>NOES:</b>    | None   |
| <b>ABSENT:</b>  | None   |
| <b>ABSTAIN:</b> | None   |

  
\_\_\_\_\_  
Steve Crowder, Mayor

**ATTEST:** *April 13, 2022*

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Scott E. Huber, Town Attorney



**EXHIBIT “B”**  
**Town of Paradise VMT Policies**

The Town of Paradise will develop and implement the following policies as provided by the BCAG 2020 RTP/SCS and set out in the Final Supplemental EIR for that project (SEIR). Such policies will be implemented after the date of adoption as applicable in public and private projects in order to try to reach compliance with BCAG goals and with statewide VMT requirements. As these strategies are included in projects, any possible environmental impacts will be analyzed with the environmental review for that project.

- 1. Increase diversity of land uses** – Staff will encourage the inclusion of mixed uses within the Town to minimize vehicle travel in terms of both the number of trips and the length of those trips. For example, as service businesses return to the Town, they may be located within walking distance of residential areas. Staff will advise potential developers of existing laws and regulation which promote diversity of land uses.
- 2. Provide pedestrian network improvements** – This strategy follows upon the diversity of land uses by encouraging the creation of a pedestrian network connecting to nearby commercial destinations. This is particularly appropriate to connect proposed multifamily projects to nearby service businesses.
- 3. Provide traffic calming measures and low-stress bicycle network improvements** – Traffic calming creates networks with low vehicle speeds and volumes that are more conducive to walking and bicycling. This includes identified bicycle lanes and parking that also are appropriate for e-bikes.
- 4. Implement car-sharing program** – This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by making it convenient to access a shared vehicle for those trips where vehicle use is essential. Note that implementation of this strategy would require regional or local agency implementation and coordination and would not likely be applicable for individual development projects.
- 5. Increase transit service frequency and speed** – This strategy focuses on improving transit service convenience and travel time competitiveness with driving. Given land use density in the Town, this strategy may be limited to traditional commuter transit where trips can be pooled at the start and end locations or require new forms of demand-responsive transit service. The demand-responsive service could be provided as subsidized trips by contracting to private Transportation Network Companies (TNCs, such as Uber, Lyft, and Via) or taxi companies. Alternatively, a public transit operator could provide the subsidized service but would need to improve on traditional cost effectiveness by relying on TNC ride-hailing technology, using smaller vehicles sized to demand, and flexible driver employment terms where drivers are paid by trip versus by hour. Note that implementation of this strategy would require regional or local agency implementation, substantial changes to current transit practices, and would not likely be applicable for individual development projects.
- 6. Implement subsidized or discounted transit program** – This strategy reduces the need to own a vehicle or reduces the number of vehicles owned by a household by incentivizing individuals to use transit for their daily commute. This strategy depends on the ultimate building tenants – whether residential landlords or businesses – and may require monitoring. This strategy also relies

on B-Line continuing to provide similar or better service throughout the county, in terms of frequency and speed.

7. **Encourage telecommuting and alternative work schedules** – This strategy relies on effective internet access and speeds to individual project sites/buildings to provide the opportunity for telecommuting. The effectiveness of the strategy depends on the ultimate building tenants and the nature of work done by tenants' employees (can the work be done remotely in the first place?); two factors that should be considered for potential VMT reduction. This strategy relies on the Town continuing to move forward towards the installation of town wide broadband infrastructure as reported in the 2021 Paradise Broadband Feasibility Study.
8. **Provide ride-sharing programs** – This strategy focuses on encouraging carpooling and vanpooling by project site/building tenants, which depends on the ultimate building tenants; this should be a factor in considering the potential VMT reduction.



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 6(a)**

**ORIGINATED BY:** Susan Hartman, Community Development  
Director – Planning & Wastewater  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Consider Introducing an Ordinance that Amends  
Paradise Municipal Code Chapter 8.08 [Solid Waste  
Collection] and Adds a New Article 1 to Chapter 8.08

**LONG TERM  
RECOVERY PLAN:** No

**COUNCIL ACTION REQUESTED:**

1. Consider waiving the first reading of Town Ordinance No. \_\_\_\_ and read by title only [roll call vote]; AND
2. Introduce Town Ordinance No. \_\_\_\_, “An Ordinance of the Town Council of the Town of Paradise Amending Text Regulations within Paradise Municipal Code Chapter 8.08 [Solid Waste] and Adding Article 1 Regarding Mandatory Municipal MSW, Recyclable Material, and Organic Waste Disposal Reduction Consistent with New State Law Requirements”; OR
3. Provide alternative direction to town staff. (ROLL CALL VOTE)

**Background:**

In 2016, SB 1383 *Short-Lived Climate Pollutants* (Lara) was adopted which requires the state to reduce organic waste (food waste, green waste, paper products, etc.) disposal by 75% by 2025. Statewide that equates to a reduction of 20 million tons a year by 2025. In addition, the law also requires the state to increase edible food recovery by 20% by 2025.

SB 1383 has significant jurisdictional requirements starting in 2022 such as:

- Provide organic waste collection to all residents and businesses
- **Update local solid waste ordinances to meet the requirements of SB 1383**
- Establish an edible food recovery program that recovers edible food from the waste stream
- Conduct outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and town departments
- Capacity planning: evaluating the jurisdictions readiness to implement SB 1383
- Procure recycled organic waste products like compost, mulch, and renewable natural gas
- Inspect and enforce compliance with SB 1383
- Maintain accurate and timely records of SB 1383 compliance.

The implementation of SB 1383 aims to reduce methane gas, a contributor to climate change in California. Landfills, where organic waste is primarily disposed of, is the third largest producer of methane in the state – responsible for 21% of the state’s methane emissions (CalRecycle, 2020).

CalRecycle estimates that 50-100 new or expanded organic waste recycling facilities will be needed to meet the 20 million ton/year reduction in organic waste disposal needed for SB 1383 – including additional facilities in the northstate.

After being denied a low population waiver by CalRecycle, the Town filed a Notice of Intent to Comply (NOIC), as authorized by SB 619, for an extension on compliance with the organics recycling requirements of SB 1383. The application was accompanied by a resolution of the Town Council and informed CalRecycle of the following:

- An explanation of why the local jurisdiction is unable to comply (lack of organic waste recycling facilities in Butte County, the potential need to go to weekly green waste collection with the addition of food waste and the associated infrastructure needs and costs associated with that).
- Description of any impacts of COVID on compliance.
- Proposed actions the local jurisdiction will take to remedy the non-compliance and the proposed schedule for doing so (timeframe for ordinance amendments, workplan for edible food recovery, and schedule for organics recycling).

On May 16, 2022, the Town was notified that its NOIC was approved and to continue to implement the actions and schedule outlined in the approved NOIC until contacted by CalRecycle staff to discuss next steps and the potential of being issued a Corrective Action Plan due to the proposed compliance extending beyond August 30, 2022.

### **Analysis:**

As previously discussed, one of the requirements of SB 1383 is to adopt and/or amend a solid waste ordinance that includes standards and enforcement in compliance with the Short-lived Climate Pollutants: Organic Waste Reduction requirements of Title 14 California Code of Regulations (14 CCR). Enforceable ordinances were to be in place by the beginning of 2022 with compliance monitoring and education being conducted through calendar year 2023. Beginning January 1, 2024, jurisdictions must take progressive enforcement against organic waste generators that are not in compliance – unless the Town is still under a Corrective Action Plan with CalRecycle due to deficiencies in the organic waste recycling infrastructure or edible food recovery capacity.

CalRecycle provided a model ordinance for jurisdictions to work from to ensure that the adopted ordinance would meet the minimum state requirements. This included additional definitions and terminology, enforcement standards specific to organic waste, and reporting requirements.

The Town's existing solid waste ordinance, found in Paradise Municipal Code (PMC) Chapter 8.08, is proposed to be amended to include new definitions and in general, updated with the new terminology of "MSW, recyclable materials, and organic waste" in place of the previously used term "solid waste". It primarily addresses waste collection and disposal. To better address the organic waste requirements of SB 1383, a new "Article 1" is proposed to be added to PMC Chapter 8.08 which addresses waste disposal reduction. New definitions are added, from the state's model ordinance, as well as Sections detailing the following:

- Organic waste collection requirements for both residential and commercial organic waste generators.
- Potential organic waste waivers for commercial generators that meet low poundage thresholds of organic waste generation as part of their overall municipal solid waste.

- Requirements for Tier 1 and Tier 2 commercial edible food generators.
- Collection and reporting requirements for food recovery organizations.
- Standards for haulers and facility operators.
- Organic waste self-hauling requirements.
- State-mandated procurement requirements for Town Departments.
- Compliance with CALGreen recycling requirements (already part of the Town's building permit process).
- Compliance with the state's 2015 Model Water Efficient Landscaping Ordinance (MWELO).
- Inspections by Town staff.
- Enforcement procedures and description of violations (includes compliance extensions due to lack of organic waste recycling infrastructure).

An important item to remember is that jurisdictions do not start proactively enforcing organic waste disposal violations, with violation notices and monetary penalties, until January 1, 2024 and then only if we are no longer under a Corrective Action Plan due to the lack of regional organic waste recycling infrastructure. However, the Town still needs to adopt an enforceable ordinance as required by SB 1383 and outlined in our approved Notice of Intent to Comply.

This proposed ordinance fulfills one of many jurisdictional requirements of SB 1383 and the Town's Notice of Intent to Comply:

- **Update local solid waste ordinances to meet the requirements of SB 1383 ✓**
- Establish an edible food recovery program that recovers edible food from the waste stream **(in process regionally)**
- Capacity planning: evaluating the jurisdictions readiness to implement SB 1383 **(in process regionally)**
- Conduct outreach and education to all affected parties, including generators, haulers, facilities, edible food recovery organizations, and town departments
- Procure recycled organic waste products like compost, mulch, and renewable natural gas
- Inspect and enforce compliance with SB 1383
- Maintain accurate and timely records of SB 1383 compliance.
- Provide organic waste collection to all residents and businesses

### **Financial Impact:**

There is no financial impact associated with the first reading and introduction of the ordinance.

Attachment

**TOWN OF PARADISE**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
AMENDING TEXT REGULATIONS WITHIN PARADISE MUNICIPAL CODE CHAPTER 8.08  
[SOLID WASTE] AND ADDING ARTICLE 1 REGARDING MANDATORY MUNICIPAL  
MSW, RECYCLABLE MATERIAL, AND ORGANIC WASTE DISPOSAL REDUCTION  
CONSISTENT WITH NEW STATE LAW REQUIREMENTS**

The Town Council of the Town of Paradise, State of California, does **ORDAIN AS FOLLOWS:**

**SECTION 1.** Paradise Municipal Code [PMC] Chapter 8.08 shall be amended to read as follows:

Chapter 8.08 – **MUNICIPAL MSW, RECYCLABLE MATERIAL, AND ORGANIC** ~~SOLID~~ WASTE COLLECTION

8.08.010 - Title of ordinance.

8.08.020 - Findings.

8.08.030 - Purpose.

8.08.040 - Definitions.

8.08.050 - Franchises.

8.08.060 - Collection standards.

8.08.070 - ~~Solid~~ MSW, recyclable material, and organic waste reduction.

8.08.080 - Ownership of ~~solid~~ MSW, recyclable material, and organic waste—Flow control.

8.08.090 - Universal collection.

8.08.100 - Privacy.

8.08.110 - Restriction on manner of collection.

8.08.120 - Vehicle standards.

8.08.130 - Indemnification.

8.08.140 - Faithful performance.

8.08.150 - Franchise transferrable.

8.08.160 - Franchise fees.

8.08.170 - Franchisee's books and records.

8.08.180 - Compensation.

8.08.190 - Government liaison person.

8.08.200 - General provisions.

8.08.210 - Unlawful action/penalty.

**8.08.010 Title of ordinance.**

The ordinance codified in this chapter shall be known, and may be cited, as the "**solid MSW, recyclable material, and organic waste collection and disposal ordinance.**"

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.020 Findings.**

The town council finds that the provisions of the California Integrated Waste Management Act of 1989 require the town to develop a comprehensive program to reduce, recycle or otherwise divert the town's ~~solid~~ MSW, recyclable material, and organic waste stream from landfill disposal by specific amounts on certain dates.

The town council further finds that the public health, safety, and welfare require that an exclusive franchise be awarded to a qualified enterprise for the collection, transportation, recycling, composting, and disposal of all ~~solid waste~~ MSW in the town.

The town council also finds that the management of ~~solid~~ MSW, recyclable material, and organic waste within the town subject to the provisions of this chapter is in accordance with the goals and policies of the Paradise general plan.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.030 Purpose.**

The purpose of this chapter is to:

- A. Establish the standards and procedures for complying with the California Integrated Waste Management Act of 1989, Assembly Bills 341 and 1826, and Senate Bill 1383;
- B. Protect the health, safety and welfare of the general public by establishing appropriate standards governing the collection and disposal of ~~solid~~ MSW, recyclable material, and organic waste;
- C. Provide for resource conservation which will provide long-term economic, energy and natural resource benefits to society;
- D. Extend the life of the Neal Road ~~Landfill~~ Recycling and Waste Facility by diverting ~~and recycling~~ as much ~~solid~~ MSW, recyclable material, and organic waste as possible;
- E. Protect the environment by establishing proper collection and disposal programs.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.040 Definitions.**

"Agreement" means a ~~solid~~ MSW, recyclable material, and organic waste collection and disposal franchise agreement granted in accordance with the standards established in this chapter.

"Authorized Contractor" means a person, company, agency, district, or other entity authorized by the Town Council to provide service or services to collect MSW, recyclable materials, and/or organic waste from others within the Town limits in accordance with the provisions of this Chapter.

"California Code of Regulations" or "CCR" means the State of California Code of Regulations. CCR references are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"Collection Services" means MSW, recyclable material, and organic waste collected by the Authorized Contractor pursuant to this Chapter, and Article 1.

"Commercial Business," "Business," or "Businesses" means all hotels, motor courts, restaurants, offices or office buildings, stores, warehouses, factories, hospitals, assisted living facilities and all other premises used for functions other than dwelling houses, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Complex that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this Chapter.

"Compost or Organic Waste" has the same meaning as in 14 CCR Section 17896.2(a)(4) and means those materials that are processed in a controlled biological decomposition process, which are source separated from the municipal MSW stream. Organic waste includes food scraps, food soiled paper products, yard trimmings and wood materials that do not contain hazardous waste.

"Construction and Demolition (C&D) Debris" includes waste building materials, packaging and rubble resulting from construction, remodeling, repair or demolition operations on pavements, houses, commercial and industrial buildings, and other structures and improvements.

"Container" or "Containers" means watertight metal or plastic objects with lids or covers, designed, and used to hold MSW, recyclable materials, organic waste, or cooking oil/grease prior to Collection, provided by the Town or Authorized Contractor. Containers include wheeled carts with lids, bins, open-top roll-off boxes, compactors, and oil/grease tanks.

"Contamination" means placing materials in a container that is labeled and intended for storage of another type of material, and which would interfere with the processing of the intended material.

"County" means the County of Butte, a political subdivision of the State of California.

"Designated disposal site" means the disposal facility or site to which franchisee elects or is required to transport ~~solid waste~~ MSW collected under the regulatory provisions of this chapter and the agreement for final disposal.

"Enclosure" means a walled structure for the storage of MSW, recyclable materials, and organic waste containers with one or more gates for access.

"Franchise area" means the area within the town limits of the town on the effective date of the ordinance codified in this chapter, including any federal or state enclaves, and any areas annexed to the town or coming under the town's MSW management or planning authority after that date.

"Franchise majeure" means acts of God, fire, landslides, lightning, storms, floods, freezing, earthquakes, epidemics, volcanic eruptions, civil disturbances, strikes, lockouts or other industrial disturbances, acts of the public enemy, wars, blockages, public riots, breakage,



explosions or accident to machines, pipelines or materials, governmental restraint, unavailability of a disposal site and any other event which could not with reasonable diligence be controlled or prevented by the party affected by the event.

~~"Franchise area" means the area within the town limits of the town on the effective date of the ordinance codified in this chapter, including any federal or state enclaves, and any areas annexed to the town or coming under the town's solid waste management or planning authority after that date.~~

"Franchisee" means an ~~firm~~ Authorized Contractor who has been granted an exclusive franchise to collect ~~solid waste~~ MSW within the town pursuant to the provisions of this chapter.

"Franchisor" means the town which grants an exclusive franchise to collect ~~solid waste~~ MSW within the town pursuant to the provisions of this chapter.

"Generate" means to bring into existence or create, or to use, maintain, or possess an item, material or product, the result of which such creation, bringing into existence, use, maintenance, or possession is that the item, material, or product first becomes, or is converted, transformed, evolved to, or deemed as MSW, recyclable material, or organic waste. "Generate" shall not mean or include any form of activity, program, service of business by which MSW, recyclable materials, or organic waste are in any manner collected or accumulated from another person, business, entity, or establishment of any kind.

"Generators" means individuals, businesses, and other entities, including the town, that generate ~~solid waste~~ MSW, and/or recyclable and organic materials in the franchise area and are customers of franchisee's services hereunder.

"Gross receipts" means all money, cash, fees, revenues, and gross sums received by franchisee in connection with the provision of services under an agreement, minus all sales taxes and excise taxes required by law to be collected by franchisee in connection with the provision of such services. There shall be no deduction from gross receipts for any overhead or costs or expenses of operation, such as, but without limitation to salaries, wages, costs of goods, interest, debt amortization, discount, collection charges, insurance and taxes, except as specifically provided herein; provided, that gross receipts shall not include federal, state, municipal or other taxes or fees collected from generators (regardless of whether the amount thereof is stated to the generator as a separate chart) and paid periodically by franchisee to a governmental agency, accompanied by a tax return or statement. The amount of such taxes or fees shall be shown on the books and records elsewhere herein required to be maintained.

"Hazardous waste" means all ~~solid waste~~ MSW defined or characterized as hazardous waste by the Federal Solid Waste Disposal Act, as amended, including the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et seq.) and all future amendments thereto, or regulations promulgated thereunder; all ~~solid waste~~ MSW defined or characterized as hazardous waste by the principal agencies of the state (including without limitation the Department of Health Services and the California Integrated Waste Management Board) having jurisdiction over hazardous waste generated by facilities with the state, and pursuant to any applicable state or local law or ordinance, and all future amendments thereto, or regulations promulgated thereunder, including without limitation the California Integrated

Solid Waste Management Act of 1989; radioactive wastes; any sewage sludge or other residue from wastewater treatment facilities; those substances or items which require special or extraordinary handling or disposal due to their hazardous, harmful, toxic or dangerous character or quality; and those substances and items which are not normally disposed of by generally accepted sanitary landfill disposal methods.

~~"Recyclable materials" means reusable material, including but not limited to, metals, glass, plastic, and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials.~~

~~"Solid waste" means all residential, commercial, industrial and quasi-public putrescible and nonputrescible solid and semisolid wastes, including garbage, trash, refuse, paper, rubbish, ashes, demolition and construction wastes, discarded home and industrial appliances, vegetable, or animal solid or semisolid wastes, lawn and garden refuse, such as leaves, grass cuttings, weeds, and trimming from trees and shrubs, and all wastes capable of being recycled that are commingled with other waste. The term "solid waste" shall not include biomedical waste, hazardous waste, special waste, liquid-carried industrial wastes or sewage hauled as an incidental part of a septic tank or cesspool cleaning service, whether combustible or noncombustible, liquid wastes or sewage sludge.~~

~~"Special waste" means those solid wastes which consist of or contain pollutants which, under ambient environmental conditions at a sanitary landfill or other waste management unit could be released at concentrations in excess of applicable water quality objectives, or which could cause degradation of waters of the state, and which may only be discharged at waste management units that are designated either "Class I" or "Class II" by the California Integrated Waste Management Board, or successor agency.~~

"Inspection" means an action or site visit where the Town reviews records, containers, and an entity's collection, handling, recycling, or landfill disposal of MSW, recyclable material, organic waste, or edible food handling to determine if the entity is complying with requirements set forth in this Chapter, or as otherwise defined in 14 CCR Section 18982(a)(35).

"Multi-Family Complex" means a residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.

"Municipal MSW" or "MSW" means all fractions of discarded putrescible and non-putrescible solid, semi-solid and liquid wastes, including trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, manure, vegetable or animal solid and semi-MSWs, and other discarded substances or materials. MSW does not include:

- A. Hazardous Waste, as defined in the State Public Resources Code Section 40141.
- B. Low-level Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the State Health and Safety Code).

C. Untreated medical waste which is regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the State Health and Safety Code). Untreated medical waste shall not be disposed of in a MSW landfill, as defined in State Public Resources Code Section 40195.1. Medical waste that has been treated and deemed to be MSW shall be regulated pursuant to Division 30 of the State Public Resources Code.

D. Recyclable materials which have been source or type-separated from other waste material.

“Organic Waste” means MSWs containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

“Owner” means the legal owner of real property; and as used in this chapter the singular shall include the plural, and shall include an individual, a firm, an association, a corporation, a partnership and the lessees, trustees, agents, employees, servants and representatives of any such owner. Proof of the assessment of any real property, the subject of this chapter, to any person or legal entity on the official assessor’s rolls shall constitute prima facie evidence that such person or legal entity to whom such property is so assessed is the legal owner thereof.

“Recyclable Material” means material which otherwise would become or be treated as MSW but which, by means of a process of collecting, sorting, cleansing, treating and reconstructing, may be returned to the economic mainstream in the form of finished or source material for new, reused or reconstituted products, which may be used in the marketplace. “Recyclable Materials” includes paper, books, magazines, cardboard, box board, plastic, metal, glass, and other similar materials authorized by the Town for collection by the Authorized Contractor.

"State" means the State of California.

"Town" means the Town of Paradise, a municipal corporation, and all the territory lying within the municipal boundaries of the Town as presently existing or as such boundaries may be modified during the term.

“Town Enforcement Officer” means the Town Manager, or their authorized designee(s) who is/are partially or wholly responsible for enforcing the ordinance. See also “Regional or County Agency Enforcement Officer”.

“Yard Waste” means tree trimmings, grass cuttings, leaves, branches, and similar organic materials, including vineyard clippings, sawdust, wooden chopsticks, and other clean wood items under 36 inches.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2 (part), 1995)

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#### **8.08.050 Franchises.**

- A. The maximum number of franchises to be awarded by the town council shall be one franchise for the collection, transportation, recycling, composting and disposal and waste diversion of ~~solid waste~~ MSW within the town boundaries. The granting of the franchise shall be through an agreement between the town as the franchisor and the Authorized Contractor as a franchisee.
- B. A franchise shall be granted only to persons who possess all permits and licenses necessary to provide ~~solid waste~~ MSW, recyclable, and organic material collection services in Butte County and the town. A franchise may be revoked upon the conviction of a franchisee for a violation of any crime involving moral turpitude or any federal, state, county or local statute relating to the collection, transportation, and disposal of ~~solid waste~~ MSW, recyclable material, and organic waste.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 309, § 1, 1998; Ord. 265, § 1, 1995: Ord. 257, § 2(part), 1995)

#### **8.08.060 Collection standards.**

All collection, transportation, recycling, composting, and disposal of ~~solid waste~~ MSW, recyclable material, and organic waste by the franchisee shall be conducted in accordance with the most recent town adopted Paradise General Plan for the town, including but not limited to, the town source reduction and recycling element (SRRE), the town household hazardous waste element (HHWE) and the Butte County/Town Hazardous Waste Management Plan. The detailed performance standards and conditions regulating the franchise shall be incorporated in the agreement between the town and the franchisee.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.070 ~~Solid~~ MSW, recyclable material, and organic waste reduction.**

In order to assist the town in meeting the required reduction of the amount of ~~solid~~ MSW, recyclable material, and organic waste entering landfills pursuant to the provisions of Section 42901 of the California Public Resources Code in an efficient and cost-effective manner, the franchisee shall undertake and provide such collection, recycling, handling, marketing and/or processing programs or methods as the franchisee reasonably deems most efficient and/or cost-effective, including the use of a materials recovery facility (MRF) and/or curbside recycling, and provided such program or method is capable of achieving at least the fifty percent diversion requirement of Section 42901.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 314, § 1, 1998; Ord. 273, § 1, 1996: Ord. 265, § 2, 1995; Ord. 257, § 2(part), 1995)

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#### 8.08.080 Ownership of ~~solid waste~~ MSW—Flow control.

Ownership and the right to possession of ~~refuse~~ MSW, ~~compostables~~, and ~~recyclables material~~ and ~~organic waste~~, placed in containers, bins or roll-offs, or placed at curbside, shall transfer directly from the customer to the franchisee, by operation of law. Franchisee's arrangements with its customers will provide that, subject to the right of the customer to claim lost property, title and the right to possession, and liability for MSW, recyclable material, and organic waste ~~all recyclables and all solid waste~~, whether or not recyclable, which is set out for collection on the regularly scheduled collection day shall pass to franchisee at the time it is set out. Subject to the provisions of this chapter and the franchise agreement, franchisee shall have the right to retain any benefit profit resulting from its right to retain, recycle, compost, dispose of, or use the ~~refuse~~ MSW, ~~compostables~~, ~~recyclables material~~, ~~organic waste~~, and construction debris which it collects. ~~Refuse~~ MSW, ~~compostables~~, ~~recyclables material~~, ~~organic waste~~, and construction debris, or any part thereof which is disposed of at a disposal site or sites (whether landfill, transformation facility, compost facility or material recovery facility) shall become the property of the owner or operator of the disposal site or sites once deposited there by franchisee.

However, franchisor, at its sole option, shall retain the right to require franchisee which transformation facility, compost facility, material recovery facility or landfill shall be used by franchisee to retain, recycle, compost, process and dispose of ~~solid waste~~ MSW, ~~recyclable material~~, ~~organic waste~~ and construction debris generated within the franchise area to assure conformance with the California Integrated Waste Management Action of 1989, AB 341 and 1826, and SB 1383. Nothing herein shall be construed as prohibiting a generator from recycling his, her or its own recyclable material through another program.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### 8.08.090 Universal collection.

- A. The property owner of any residential, commercial, industrial, quasi-public or other land use in the town shall be responsible for contracting with the franchisee authorized by this chapter for the satisfactory collection and removal of all ~~solid waste~~ MSW, ~~recyclable material~~, and ~~organic waste~~ accumulated on the property. ~~Solid waste~~ MSW, ~~recyclable material~~, and ~~organic waste~~ shall not be allowed to accumulate more than seven consecutive days on a property in order to prevent the creation of a nuisance, a fire hazard, or the propagation or attraction of flies, insects, rodents, or other vectors.
- B. To enable the town to determine if all households are participating in the universal collection program, the franchisee shall provide a list of their customers to the town on a quarterly or semi-annual basis until the town reduces the frequency of list submittal based on most households participating.

(Ord. No. 502, § 1, 7-13-2010; Ord. No. 471, § 1, 11-13-2007; Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 265, § 3, 1995; Ord. 257, § 2 (part), 1995; Ord. 383, § 1, 2002)

Editor's note(s)—Ord. No. 502, § 2, adopted July 13, 2010, provides that this ordinance shall take effect 30 days after the date of its passage.

#### **8.08.100 Privacy.**

Franchisee shall strictly observe and protect the rights of privacy of customers. Information identifying individual customers, or the composition or contents of a customer's waste stream shall not be revealed to any person, governmental unit, private agency or company, unless upon the authority of a court of law, by statute or upon valid authorization of the customer. This provision shall not be construed to preclude franchisee from preparing, participating in or assisting in the preparation of waste characterization studies or waste stream analyses which may be required by the Act. Franchisee shall not market or distribute, outside the normal course of its business, mailing lists with the names and addresses of customers. The rights accorded customers pursuant to this section shall be in addition to any other privacy right accorded customers pursuant to federal or state law.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.110 Restriction on manner of collection.**

In order to comply with the provisions of the Act and to accurately account for and to report for the amount of ~~solid waste~~ MSW, recyclable material, and organic waste collected within the town and disposed according to this chapter, each load of ~~solid waste~~ MSW, recyclable material, and organic waste collected by franchisee shall not be commingled with any other ~~solid waste~~ MSW, recyclable material, and organic waste collected by the franchisee from any other person or place located outside the town limits.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.120 Vehicle standards.**

- A. Each vehicle used by franchisee shall at all times comply with all applicable provisions of the California Vehicle Code, and shall be inspected, at least once a year, using the "critical item inspection" criteria as approved by the California Highway Patrol. The results of said inspections shall be made available to the town manager upon request.
- B. Each vehicle used for the collection and transportation or transport of ~~solid waste~~ MSW, recyclable material, and organic waste shall be maintained in a clean and sanitary condition both inside and out and shall be washed at least once every seven calendar days.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

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#### **8.08.130 Indemnification.**

Franchisee shall indemnify the town in accordance with the provisions of the franchise agreement.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 265, § 4, 1995; Ord. 257, § 2(part), 1995)

#### **8.08.140 Faithful performance.**

Concurrent with the granting of the franchise pursuant to this chapter, the franchisee shall deposit with the town a cash deposit, irrevocable letter of credit, or other such document evidencing an irrevocable cash deposit payable to the town, in the amount of one hundred thousand dollars, in a form approved by the town attorney, guaranteeing franchisee's faithful performance of the terms of its franchise agreement and shall promptly pay all just claims for any labor skill rendered or equipment or material used in the performance of this chapter. Such cash deposit or letter of credit shall be maintained in effect throughout the duration of the franchise agreement.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.150 Franchise transferrable.**

- A. The franchise granted pursuant to this chapter shall not be transferred, sold, sublet or assigned, nor shall any of the rights or privileges herein be hypothecated, leased, assigned, sold, or transferred, either in whole or in part, nor shall title thereto, either legal or equitable or any right, interest, or property therein pass to or vest in any person, except the franchisee, either by act of the franchisee or by operation of law without the prior written consent of the town council expressed by a duly adopted resolution. Any attempt to assign this franchise without the consent of the town council shall be void.
- B. The town may impose conditions of approval on the transfer of an agreement, including but not limited to, conditions requiring acceptance of the provisions of the Paradise Municipal Code, including this chapter, and the agreement. The town shall not be unreasonable in withholding its consent of the transfer.
- C. Town consent is required for any change in the control of the franchisee. "Change in control" means any sale, transfer, or acquisition of the franchisee.
- D. Any change in control of the franchisee occurring without prior town approval shall constitute a material breach of the agreement.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

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#### **8.08.160 Franchise fees.**

Beginning with the first full month following the effective date of the ordinance codified in this chapter, the franchisee shall pay to franchisor on a quarterly basis, seven percent (7%) of all gross receipts collected by the franchisee as a franchise fee. Other than the fee established for the 2006-2007 fiscal year, this franchise fee shall be computed annually beginning on July 1st of each subsequent fiscal year with payments to the town being made no later than the twentieth (20th) day after any calendar quarter.

(Ord. No. 477, § 1, 2-12-2008; Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.170 Franchisee's books and records.**

- A. The franchisee shall maintain all records relating to the services provided hereunder, including, but not limited to, customer lists, billing records, customer complaints, accounts payable records, financial audits, maps and the Act compliance records, for a period of not less than three years, or any longer period required by law. The town shall have the right, upon five days advance written notice, to inspect all records which reasonably relate to the franchisee's compliance with the provisions of this chapter and the agreement. Such records shall be made available to the town at the franchisee's regular place of business, but in no event outside the County of Butte.
- B. Should any examination or audit of franchisee's records reveal an underpayment of any fee required pursuant to this chapter or the franchise agreement, the amount of such underpayment shall become due and payable to town not later than fifteen days after written notice of such underpayment is sent to franchisee by the town. Should an underpayment of more than three percent be discovered, the franchisee shall bear the entire cost of an audit of franchise fees.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.180 Compensation.**

- A. Franchisee Rate. On or before May 1, 2007, the franchisee shall provide the services described in this chapter and the franchise agreement in accordance with Exhibit "F" of the franchise agreement.
- B. Modifications and Adjustments. The rates set forth in Exhibit "F" shall remain in effect until adjusted by the town based on Exhibit "E" of the franchise agreement.
- C. All other terms and conditions of rates shall be as set forth in the franchise agreement.
- D. All billing for services provided shall be made by the franchisee; and all charges shall become delinquent sixty days after billing date.



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- E. If the bill remains unpaid after the date of delinquency, the franchisee shall be entitled to a delinquency fee; and may discontinue service to the property after a thirty-day written notice. However, said delinquency fee shall not be assessed until fifteen days after notification of the delinquency to the property owner and recipient of service. The form and content of the delinquency notice sent by the franchisee shall be approved by the town manager. Franchisee shall simultaneously file with the town manager a formal written notice stating the assessor's parcel number of the parcel to which service was rendered, that such delinquency notice has been sent to such recipient and property owner and the date and address to which notice was sent. Delinquency fees shall be set by the franchise agreement.
  - F. Should the bill remain unpaid at the expiration of the sixty (60) days, the franchisee may assign said bill to the town for lien proceedings.
  - G. Upon the town's receipt of the assignment from the franchisee and at the convenience of the town (i.e., once per year during the month of May); the town manager shall initiate proceedings complying with Government Code sections 38790.1 and 25831 to create a lien on the real property to which the waste collection has been rendered.
  - H. The lien shall be officially recorded in the Butte County recorder's office. The lien may carry such additional administrative charges as set forth by the resolution of the town council. The owner shall be notified by the town finance department that the delinquency charges and administrative charges are due the town and that said lien has been recorded.
- (Ord. No. 471, §§ 2, 3, 11-13-2007; Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. No. 446, §§ 1, 2, 2-28-06; Ord. 265, § 5, 1995; Ord. 257, § 2(part), 1995)

#### **8.08.190 Government liaison person.**

The franchisee shall designate a "government liaison person" who shall be responsible for working with the town manager or the town manager's designee to resolve consumer complaints.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257, § 2(part), 1995)

#### **8.08.200 General provisions.**

- A. Independent Contractor. The franchisee is an independent contractor and not an officer, agent, servant, or employee of the town. The franchisee is solely responsible for the acts and omissions of their officers, agents, employees, contractors, and subcontractors, if any. Nothing in this chapter or in the agreement shall be construed as creating a partnership or joint venture between town and franchisee. Neither franchisee nor its officers, employees, agents, or subcontractors shall obtain any rights to retirement or other benefits which accrue to town employees.

- B. Pavement Damage. Franchisee shall be responsible for any extraordinary damage to town's driving surfaces resulting from negligence in providing ~~solid waste~~ MSW, recyclable material, and organic waste collection and transportation services.
- C. Property Damage. Any physical damage caused by the negligent or willful acts or omissions of employees, contractors, or subcontractors of the franchisee to private or public property shall be repaired or replaced.
- D. Right of Entry. The franchisee shall have the right, until receipt of written notice revoking permission to pass is delivered to franchisee, to enter or drive upon any private street, court, place, easement, or other private property for the purpose of providing for the collection, transportation, recycling, composting, and disposal of ~~solid waste~~ MSW, recyclable material, organic waste, and construction debris pursuant to this chapter and the franchise agreement.
- E. Prior Agreements and Amendments. This chapter and the franchise agreement are intended to carry out town's obligations to comply with the provisions of the California Integrated Waste Management Act, AB 341 and 1826, and SB 1383 as it from time to time may be amended, and as implemented by regulations of the California Integrated Waste Management Board ("Regulations"), as they from time to time may be amended. In the event that the Act or other state or federal laws or regulations are enacted after this chapter has been enacted and the franchise agreement entered into, prevent or preclude compliance with one or more provisions of this chapter and the franchise agreements, such provisions shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations. No other amendment of the franchise agreements shall be valid unless in writing duly executed by the parties.
- F. Service Requirements. Franchisee shall furnish all necessary personnel, labor, equipment, materials, billing, transportation, and related facilities required to perform its services under this chapter and the franchise agreement.
- G. Laws and Licenses. The franchisee shall comply with all federal, state, county and town laws and ordinances, rules and regulations applicable to the performance of services hereunder, and shall obtain all licenses and permits necessary to perform the services hereunder and maintain the same in full force and effect.
- H. Nondiscrimination. In performing the services hereunder, each franchisee shall not discriminate against any person on the ground of race, sex, age, creed, color, religion or national origin.

(Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 257 § 2(part), 1995)

#### **8.08.210 Unlawful action/penalty.**

- A. It is unlawful for any person or generator in the town to do any of the following:
  - 1. Dispose of or dump ~~solid waste~~ MSW, recyclable material, or organic waste on public or private rights-of-way;

2. Dispose of toxic or hazardous materials in a manner that creates a public health, safety or environmental hazard;
  3. Dispose of dead animals as part of normal collection of ~~solid waste~~ MSW, recyclable material, or organic waste;
  4. Utilize ~~solid waste~~ MSW, recyclable, and organic containers belonging to other individuals without prior written permission;
  5. Fail to contract with the town's authorized ~~solid waste~~ MSW, recyclable material, and organic waste collection franchisee to collect ~~solid waste~~ MSW, and recyclable material, and organic materials from the generator unless granted an exemption from such required contracted service by action of the Town of Paradise.
  6. Violate any provisions of the Paradise General Plan's "household hazardous waste element";
  7. Violate any provision of the Paradise General Plan's "source reduction and recycling element";
  8. Pick up recyclable or organic material placed in a town-owned container or curbside by other property owners or tenants for collection by the town's authorized franchised ~~solid waste~~ MSW, recyclable material, and organic waste collector;
  9. Place and leave a ~~solid waste/recyclable~~ MSW, recyclable material, or organic waste materials container within the front yard or at curbside or roadway collection point more than twenty-four (24) hours before the day of collection pickup or beyond twenty-four (24) hours after the day of collection pickup.
  10. For anyone other than a person authorized by the property owner to remove or otherwise interfere with recyclable materials which have been placed in a waste disposal container.
- B. Any person or generator violating any of the provisions of this chapter shall be guilty of an infraction with fines pursuant to Government Code Section 36900. Any additional violation of this chapter within one (1) year of the first violation may be prosecuted by the town attorney as a misdemeanor with a fine not exceeding one thousand dollars (\$1,000.00) and/or six (6) months in the county jail; and provided, however, the town attorney shall have the discretion to reduce the misdemeanor to an infraction. Each day such violation is committed or permitted to continue constitutes a separate offense and is punishable as such.

(Ord. No. 549, § 1, 10-14-2014; Ord. No. 477, § 2, 2-12-2008; Ord. No. 471, § 4, 11-13-2007; Ord. No. 459, §§ 1, 2, 3-27-2007; Ord. 383, § 2, 2002; Ord. 257, § 2(part), 1995)

**SECTION 2.** A new Article 1 is hereby added to Paradise Municipal Code [PMC] Chapter 8.08 to read as follows:

Article 1 - MANDATORY MSW, RECYCLABLE MATERIAL AND ORGANIC WASTE DISPOSAL REDUCTION

- 8.08.220: Definitions
- 8.08.230: Requirements for Single-Family Generators
- 8.08.240: Requirements for Commercial Businesses
- 8.08.250: Waivers for Generators
- 8.08.260: Requirements for Commercial Edible Food Generators
- 8.08.270: Requirements for Food Recovery Organizations and Services
- 8.08.280: Requirements for Haulers and Facility Operators
- 8.08.290: Self-Hauler Requirements
- 8.08.300: Procurement Requirements for Town Departments, Direct Service Providers, and Vendors
- 8.08.310: Compliance with CALGreen Recycling Requirements
- 8.08.320: Model Water Efficient Landscaping Ordinance Requirements
- 8.08.330: Inspections and Investigation by Town
- 8.08.340: Enforcement
- 8.08.350: Effective Date

#### **Section 8.08.220: Definitions**

For the purposes of this Article, the following words, terms, phrases, and their derivations have the meanings given herein. Terms defined elsewhere in the municipal code shall have the same meanings herein unless expressly defined in this Article. When consistent with the context, words used in the present tense include the future tense, and words in the singular number include the plural number.

- A. “Authorized Contractor” or “Contractor” is defined at Section 8.08.040.
- B. “Blue Container” has the same meaning as in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials (non-organic recyclable material = glass, metal, and plastic) or Source Separated Blue Container Organic Waste (organic recyclable material such as clean paper and cardboard).
- C. “CalRecycle” means California's Department of Resources Recycling and Recovery, and any successor agencies, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations on Cities (and others).
- D. “California Code of Regulations” or “CCR” is defined at Section 8.08.040.

- E. "Commercial Business" or "Commercial" is defined at Section 8.08.040.
- F. "Commercial Edible Food Generator" includes a Tier One, or a Tier Two Commercial Edible Food Generator as defined in Sections 8.08.260(TTT) and 8.08.270(UUU) of this Article or as otherwise defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).
- G. "Compliance Review" means a review of records by the Town to determine compliance with this Section.
- H. "Community Organic Waste" means any activity that creates Organic Waste green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Organic Waste on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).
- I. "Compost" is defined at Section 8.08.040.
- J. "Compostable Plastic" or "Compostable Plastics" means plastic materials that meet the ASTM D6400 standard for composability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).
- K. "Container" or "Containers" is defined at Section 8.08.040.
- L. "Container Contamination" or "Contaminated Container" means a container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).
- M. "Construction and Demolition Debris" or "C&D" is defined at Section 8.08.040.
- N. "Designee" means an entity that the Town contracts with or otherwise arranges to carry out any of the Town's responsibilities of this Section as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.
- O. "Direct Service Provider" means a person, company, agency, district, or other entity that provides a service or services to the Town pursuant to a contract or other written agreement or

as otherwise defined in 14 CCR Section 18982(a)(17).

P. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not MSW if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Article 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Q. “Enforcement Action” means an action of the Town to address non-compliance with this Article including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

R. “Excluded Waste” means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the Town and its generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that in the Town's, or its Designee's reasonable opinion would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose Town, or its Designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Single-Family or Multi-Family MSW after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code. Excluded Waste does not include used motor oil and filters, household batteries, universal wastes, electronic waste, and/or latex paint when such materials are defined as allowable materials for collection through the Town's collection programs and the generator or customer has properly placed the materials for collection pursuant to instructions provided by Town or its Designee for collection services.

S. “Food Distributor” means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

T. “Food Facility” means a commercial & business establishment that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption.

U. “Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

V. “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

1. A food bank as defined in Section 113783 of the Health and Safety Code;
2. A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code; and,
3. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Article 12 pursuant to 14 CCR Section 18982(a)(7).

If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this ordinance.

W. “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Article 12 pursuant to 14 CCR Section 18982(a)(7).

X. “Food Scraps” means all surplus, spoiled or unsold food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, eggshells and solid fats, oils & grease.

Y. “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

Z. "Food-Soiled Paper" is organic wastepaper material that has come in contact with food or liquid, such as, but not limited to, organic wastepaper plates, paper coffee cups, napkins, pizza boxes, coffee filters, tea bags, wax paper, butcher paper and waxed cardboard, paper take out boxes, paper egg cartons, and milk cartons.

AA. "Food Waste" means Food Scraps.

BB. "Gray Container" has the same meaning as in 14 CCR Section 18982.2(a)(28) and shall be used for the purpose of storage and collection of Gray Container Waste.

CC. "Gray Container Waste" means MSW that is collected in a Gray Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste in the Gray Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section 17402(a)(6.5).

DD. "Green Container" has the same meaning as in 14 CCR Section 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.

EE. "Grocery Store" means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

FF. "Hauler Route" means the designated daily, weekly, etc. itinerary or sequence of stops for each segment of the Town's collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

GG. "High Diversion Organic Waste Processing Facility" means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the "Mixed waste organic collection stream" as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

HH. "Inspection" is defined at Section 8.08.040.



II. "Large Event" means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this ordinance.

JJ. "Large Venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this Article and implementation of 14 CCR, Division 7, Article 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this Article and implementation of 14 CCR, Division 7, Article 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition in 13 CCR Section 18982(a)39 shall apply to this Section.

KK. "Local Education Agency" means a school district, charter school, or county office of education that is not subject to the control of Town or county regulations related to MSW, or as otherwise defined in 14 CCR Section 18982(a)(40).

LL. "Multi-Family Complex" is defined at Section 8.08.040.

MM. "Municipal MSW" or "MSW" is defined at Section 8.08.040.

NN. "MWELO" refers to the Model Water Efficient Landscape Ordinance (MWELO), 23 CCR, Division 2, Article 2.7.

OO. "Non-Organic Waste Paper" includes but is not limited to paper that is coated in a plastic material that will not breakdown in the Organic Waste process, or as otherwise defined in 14 CCR Section 18982(a)(41).

PP. "Non-Local Entity" means the following entities that are not subject to the Town's enforcement authority, or as otherwise defined in 14 CCR Section 18982(a)(42):

1. State agencies located within the boundaries of the Town, including all public-school locations.

QQ. “Non-Organic Recyclable Material” means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics, and glass, or as otherwise defined in 14 CCR Section 18982(a)(43).

RR. “Notice of Violation (NOV)” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.

SS. “Organic Waste” means MSW containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper products, Printing and Writing Paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

TT. “Organic Waste Generator” means a person or entity that is responsible for the initial creation of organic waste, or as otherwise defined in 14 CCR Section 18982(a)(48).

UU. “Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

VV. “Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

WW. “Prohibited Container Contaminants” means the following:

1. Discarded materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the Town Blue Container.
2. Discarded materials placed in the Green Container that are not identified as acceptable Source Separated Green Container Organic Waste for the Town Green Container.
3. Discarded materials placed in the Gray Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in Town Green Container and/or Blue Container; and

4. Excluded Waste placed in any container.

XX. “Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR Section 18982(a)(60).

YY. “Recovery” means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).

ZZ. “Recycled-Content Paper” means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

AAA. “Recyclable Materials” is defined at Section 8.08.040.

BBB. “Regional Agency” means regional agency as defined in Public Resources Code Section 40181.

CCC. “Regional or County Agency Enforcement Officer” means a regional or county agency enforcement officer, designated by the Town with responsibility for enforcing this ordinance in conjunction or consultation with the Town Enforcement Officer or Town Designee.

DDD. “Renewable Gas” means gas derived from organic waste that has been diverted from a California landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recycle Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(62).

EEE. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).

FFF. “Route Review” means a visual Inspection of containers along a Hauler Route for the purpose of determining Container Contamination and may include mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR Section 18982(a)(65).

GGG. “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Article 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

HHH. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations

developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Article 12 and amended portions of regulations of 14 CCR and 27 CCR.

III. “SB 1383 Eligible Mulch” means mulch eligible to meet the Annual Recovered Organic Waste Product Procurement Target, pursuant to 14 CCR Article 12 of Division 7. This SB 1383 Eligible Mulch shall meet the following conditions for the duration of the applicable procurement compliance year, as specified by 14 CCR Section 18993.1 (f)(4):

**1. Produced at one of the following facilities:**

- i. A transfer/processing facility or transfer/processing operation as defined in 14 CCR Sections 17402(a)(30) and (31), respectively, that is permitted or authorized under 14 CCR Division 7; or,
- ii. A MSW landfill as defined in Public Resources Code Section 40195.1 that is permitted under 27 CCR Division 2.

**2. Meet or exceed the physical contamination, maximum metal concentration, and pathogen density standards for land application specified in 14 CCR Sections 17852(a)(24.5) (A)1 through 3, as enforced by Section 6-3-708(a)**

JJJ. “SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Material Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Article 12 and amended portions of regulations of 14 CCR and 27 CCR

KKK. “Self-Hauler” means a person, who hauls Recyclable Material or Organic Waste material he or she has generated to a transfer, processing, recovery, or disposal facility other than the Direct Service Provider, whose primary business is not waste hauling. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

LLL. “Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) dwelling units.

MMM. “Soiled Paper Products” means paper towels, tissue products, paper napkins, paper plates and cups, coffee filters, tea bags, waxed paper, butcher paper, paper take-out boxes and containers, greasy pizza boxes, paper bags and cardboard and wax-coated cardboard produce boxes. “Soiled Paper Products” does not include polystyrene, plastic-backed paper, blue-line paper or blueprints, diapers, kitty litter, any paper containing plastics, aluminum foil or foil-lined food wrap.

NNN. "Source Separated" means materials, including commingled recyclable materials, that have been separated or kept separate from the MSW stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of the ordinance, Source Separated shall include separation of materials by the generator, property owner, property owner's employee, property manager, or property manager's employee into different containers for the purpose of collection such that Source Separated materials are separated from Gray Container Waste or other MSW for the purposes of collection and processing.

OOO. "Source Separated Blue Container Organic Waste" means Source Separated Organic Waste (e.g. non-soiled paper products) that can be placed in a Blue Container that is limited to the collection of those Organic Wastes and Non-Organic Recyclable material as defined in Section 18982(a)(43), or as otherwise defined by Section 17402(a)(18.7).

PPP. "Source Separated Green Container Organic Waste" means Source Separated Organic Waste that can be placed in a Green Container that is specifically intended for the separate collection of Organic Waste Material by the generator, excluding Source Separated Blue Container Organic Waste, carpets, Non-Organic Wastepaper, and textiles.

QQQ. "Source Separated Recyclable Materials" means Source Separated Non-Organic Recyclable material and Source Separated Blue Container Organic Waste. "Recyclable Materials" includes paper, books, magazines, cardboard, boxes, plastic, metal, glass, food waste and other similar materials authorized by the Town for collection by the Authorized Contractor.

RRR. "State" means the State of California.

SSS. "Supermarket" means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

TTT. "Tier One Commercial Edible Food Generator" means a Commercial Edible Food Generator that is one of the following:

1. Supermarket.
2. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
3. Food Service Provider.
4. Food Distributor.

5. Wholesale Food Vendor.
6. If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this ordinance.

UUU. “Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

1. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
2. Hotel with an on-site Food Facility and 200 or more rooms.
3. Health facility with an on-site Food Facility and 100 or more beds.
4. Large Venue.
5. Large Event.
6. A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
7. A Local Education Agency facility with an on-site Food Facility.
8. If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this ordinance.

VVV. “Town” is defined at Section 8.08.040.

WWW. “Town Enforcement Officer” is defined at Section 8.08.040.

XXX. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

YYY. “Un-containerized Yard Trimming Collection Service” or “Un-containerized Service” means a collection service that collects Yard Waste that are placed in a pile or bagged for collection on the street in front of a generator’s house or place of business for collection and transport to a facility that recovers Source Separated Organic Waste, or as otherwise defined in 14 CCR Section 189852(a)(75).

ZZZ. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received,

shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

AAAA. "Yard Waste" means tree trimmings, grass cuttings, leaves, branches, and similar Organic Wastes, including vineyard clippings, sawdust, wooden chopsticks, crates and other clean wood items under 36 inches.

#### **Section 8.08.230: Requirements for Single-Family Generators**

Single-Family Organic Waste Generators shall comply with the following requirements except Single-Family generators that meet the Self-Hauler requirements in Section 8.08.290 of this Article:

- A. Shall subscribe to the Town's MSW, Recycling and Organic Waste collection services for all MSW, recycling, and organic waste generated as described below in subsection (B). Single-Family MSW, Recycling, and Organic Waste Generators shall comply with the following requirements except Single-Family generators that meet the Self-Hauler requirements in Section 8.08.290 of this Article.
- B. Shall participate in the Town's MSW, Recycling, and Organic Waste collection service(s) by placing designated materials in designated containers as described below and shall not place Prohibited Container Contaminants in collection containers.
  - 1. Generator shall place Source Separated Green Container Organic Waste material, including Food Scraps and Yard Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container MSW in the Gray Container. Generators shall not place materials designated for the Gray Container into the Green Container or Blue Container.

#### **Section 8.08.240: Requirements of Commercial Businesses**

Generators that are Commercial Businesses, including Multi-Family Complexes, shall:

- A. Subscribe to Town's three-container collection services and comply with requirements of those services as described below in Section 8.08.240(B), except Commercial Businesses that meet the Self-Hauler requirements in Section 8.08.290 of this Article. Town shall have the right to review the number and size of a generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and Commercial Businesses shall adjust

their service level for their collection services as requested by the Town.

- B. Except Commercial Businesses that meet the Self-Hauler requirements in Section 8.08.290 of this Article, participate in the Town's MSW, Recycling and Organic Waste collection service(s) by placing designated materials in designated containers as described below.
  - 1. Generator shall place Source Separated Green Container Organic Waste material including Food Scraps and Yard Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container MSW in the Gray Container. Generators shall not place materials designated for the Gray Container into the Green Container or Blue Container.
- C. Supply and allow access to adequate number, size, and location of collection containers with sufficient labels or colors (conforming with Sections 8.08.240 (D)(1) and 8.08.240 (D)(2) below) for employees, contractors, tenants, and customers, consistent with Town's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Section 8.08.290.
- D. Excluding Multi-Family Complexes, provide containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that business. Such containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the business shall have either:
  - 1. A body or lid that conforms with the container colors provided through the collection service authorized by Town, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. A Commercial Business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the



subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

2. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.
- E. Multi-Family Complexes are not required to comply with container placement requirements or labeling requirements in Section 8.08.240(D) pursuant to 14 CCR Section 18984.9(b).
  - F. To the extent practical through education, training, inspection, and/or other measures, excluding Multi-Family Complexes, prohibit employees from placing materials in a container not designated for those materials per the Town's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Section 8.08.290.
  - G. Excluding Multi-Family Complexes, periodically inspect Blue Containers, Green Containers, and Gray Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).
  - H. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Wastes and Source Separated Blue Cart Recyclable Materials.
  - I. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Blue Container Recyclable Materials separate from Gray Container Waste (when applicable) and the location of containers and the rules governing their use at each property.

- J. Provide or arrange access for Town, its agent or designee to their properties during all Inspections conducted in accordance with Section 8.08.330 of this Article to confirm compliance with the requirements of this Article.
- K. If a Commercial Business wants to self-haul, meet the Self-Hauler requirements in Section 8.08.290.
- L. Nothing in this Section prohibits a generator from preventing or reducing MSW generation, managing Organic Wastes on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).
- M. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to Section 08.08.260.

**Section 8.08.250: Waivers for Generators**

- A. De Minimis Waivers: The Town may waive a Commercial Business' obligation (including Multi-Family Complexes) to comply with some or all of the Organic Waste requirements of this Article if the Commercial Business can demonstrate and certify to the satisfaction of the Town Compliance Officer or his or her designee that such Organic Waste collection service is not needed because the owner or occupant satisfies any of the following criteria:
  - 1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 8.08.250(A)(2) below.
  - 2. Provide documentation that either:
    - a. The Commercial Business' total MSW collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable container of the business' total waste; or,
    - b. Commercial Business' total MSW collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable

container of the business' total waste.

3. Notify the Town if circumstances change such that Commercial Business's Organic Waste exceeds threshold required for waiver, in which case waiver will be rescinded.
4. Provide written verification of eligibility for de minimis waiver every 5 years if the Town has approved de minimis waiver.

**Section 8.08.260: Requirements for Commercial Edible Food Generators**

- A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.
- B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.
- C. Commercial Edible Food Generators shall comply with the following requirements:
  1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.
  2. Contract with, or enter into a written agreement with, Food Recovery Organizations or Food Recovery Services for:
    - a. the collection of Edible Food for Food Recovery; or
    - b. acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
  3. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.

4. Allow Town's Town Compliance Officer or designee to access the premises and review records pursuant to 14 CCR Section 18991.4.
5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
  - a. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
  - b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
  - c. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
    - i. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
    - ii. The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
    - iii. The established frequency that food will be collected or self-hauled.
    - iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
6. No later than March 31st of each year, commencing no later than February 1, 2023, for Tier One Commercial Edible Food Generators and February 1, 2025, for Tier Two Commercial Edible Food Generators, provide an annual Food Recovery report to the Town that includes the following information:

- a. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
  - b. The quantity of food, measured in annual pounds recovered, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
  - c. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
- D. Nothing in this Article shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article13 [commencing with Section 49580] to Article 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

**Section 8.08.270: Requirements for Food Recovery Organization and Services**

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1 ):
  - 1. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
  - 2. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.
  - 3. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
  - 4. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):
1. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
  2. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.
  3. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. No later than March 31st of each year, commencing March 31, 2023, Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the Town and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall report to the Town the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b).
- D. Food Recovery Capacity Planning
- In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the Town or its designee, Food Recovery Services and Food Recovery Organizations operating in the Town shall provide information and consultation to the Town, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the Town and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the Town shall respond to such request for information within 60 days unless a shorter timeframe is otherwise specified by the Town.

#### **Section 8.08.280: Requirements for Haulers and Facility Operators**

- A. Requirements for Haulers
1. Exclusive franchised hauler providing residential, commercial, or industrial MSW, Recycling and Organic Waste collection services to generators within the Town's boundaries shall meet the following requirements and standards

as a condition of approval of a contract, agreement, or other authorization with the Town to collect MSW, Recycling, and Organic Waste:

- a. Through written notice to the Town annually on or before April 1<sup>st</sup> identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste.
  - b. Transport Source Separated Recyclable Materials and Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Article 12, Article 2.
  - c. Obtain approval from the Town to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1, this Section, and Town's C&D ordinance.
2. Exclusive franchised hauler authorized to collect Organic Waste shall comply with education, equipment, signage, container labeling, container color, contamination monitoring, reporting, and other requirements contained within its franchise agreement, permit, license, or other agreement entered into with the Town.

**B. Requirements of Facility Operators and Community Composting Operations**

1. Owners of facilities, operations, and activities that recover MSW, Recycling and Organic Waste, including, but not limited to, Landfills, Material Recovery Facilities, Transfer Stations, Compost facilities, in-vessel digestion facilities, and publicly owned treatment works shall, upon Town request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the Town shall respond within 60 days.
2. Community Composting operators, upon Town request, shall provide information to the Town to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the Town shall respond within 60 days.

### **Section 8.08.290: Self Hauler Requirements**

- A. Self-Haulers shall source separate all recyclable materials and organic waste (materials that Town otherwise requires generators to separate for collection in the Town's recycling materials and Organic Waste collection program) generated on-site from MSW in a manner consistent with 14 CCR Sections 18984.1 and 18984.2 or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 18984.3.
- B. Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a MSW facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility.
- C. Self-Haulers that are Commercial Businesses (including Multi-Family Complexes) shall keep a record of the amount of Organic Waste delivered to each MSW facility, operation, activity, or property that processes or recovers Organic Waste; this record shall be subject to Inspection by the Town. The records shall include the following information:
  - 1. Delivery receipts and weight tickets from the entity accepting the waste.
  - 2. The amount of material in cubic yards or tons transported by the generator to each entity.
  - 3. If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.
- D. Self-Haulers that are Commercial Businesses (including Multi-Family Self Haulers) shall provide information collected in Section 8.08.290(C) to Town, if requested.
- E. A residential Organic Waste Generator that self-hauls Organic Waste, as described in Section 8.08.290 is not required to record or report information in Section 8.08.290(C) and (D).



**Section 8.08.300: Procurement Requirements for Town Departments, Authorized Contractors, and Vendors**

- A. Direct Service Providers of landscaping maintenance, renovation, and construction shall:
1. Use Organic Waste and SB 1383 Eligible Mulch, as practicable, produced from recovered Organic Waste, for all landscaping renovations, construction, or maintenance performed for the Town, whenever available, and capable of meeting quality standards and criteria specified. SB 1383 Eligible Mulch used for land application shall comply with 14 CCR, Division 7, Chapter 12, Article 12 and must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5) (A)(1) through (3).
  2. Keep and provide records of Procurement of Recovered Organic Waste Products (either through purchase or acquisition) to Town, upon completion of projects. Information to be provided shall include:
    - a. General description of how and where the product was used and if applicable, applied.
    - b. Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured.
    - c. Type of product.
    - d. Quantity of each product; and,
    - e. Invoice or other record demonstrating purchase or procurement.
- B. All vendors providing Paper Products and Printing, and Writing Paper shall:
1. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are

available at the same or lesser total cost than non-recycled items or at a total cost of no more than 10% of the total cost for non-recycled items.

2. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.
3. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the Town. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
4. Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the Town is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).
5. Provide records to the Town's Recovered Organic Waste Product procurement recordkeeping staff, in accordance with the Town's Recycled-Content Paper procurement policy(ies) of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the Town. Records shall include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required in Sections 7(b)(3) and 7(b)(4) of this Article for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

#### **Section 8.08.310: Compliance with CALGreen Recycling Requirements**

- A. Persons applying for a permit from the Town for new construction, building additions, and alternations shall comply with the requirements of this Section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of

CALGreen. If the requirements of CALGreen are more stringent than the requirements of this Section, the CALGreen requirements shall apply.

- B. Project applicants shall refer to Town's Building Division for complete CALGreen requirements.
- C. For projects covered by CALGreen, the applicants must, as a condition of the Town's permit approval, comply with the following:
  - 1. Where five (5) or more Multi-Family dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and collection of Blue Container and Green Container materials, consistent with the three container collection program offered by the Town, or comply with provision of adequate space for recycling for Multi-Family Complexes and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.
  - 2. New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and collection of Blue Container and Green Container materials, consistent with the three-container collection program offered by the Town, or shall comply with provision of adequate space for recycling for Multi-Family Complexes and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.
  - 3. Comply with CALGreen requirements and applicable law related to management of C&D, including diversion of Organic Waste in C&D from disposal. Comply with Town's C&D ordinance, Article 15.01 of Town's municipal code, and all written and published Town policies and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

### **Section 8.08.320: Model Water Efficient Landscaping Ordinance (MWELo) Requirements**

- A. Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the Town, who are constructing a new Single-Family, Multi-Family, public, institutional, or Commercial project with a landscape area greater than 500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 2,500 square feet, shall comply with 23 CCR, Division 2, Article 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo, including sections related to use of Organic Waste and mulch as delineated in this Section.
- B. The following Compost and mulch use requirements that are part of the MWELo are now also included as requirements of this Section.
- C. Property owners or their building or landscape designers that meet the threshold for MWELo compliance outlined in 8.08.320(A) above shall:
  - 1. Comply with Sections 492.6 (a)(3)(B)(C)(D) and (G) of the MWELo, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:
    - a. For landscape installations, Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.
    - b. For landscape installations, a minimum three (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
    - c. Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other

applicable local ordinances.

2. The MWELo compliance items listed in this Section are not an inclusive list of MWELo requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELo compliance outlined in this Section shall consult the full MWELo for all requirements in 23 CCR, Division 2, Article 2.7.
- D. If, after the adoption of this Article, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Article 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo September 15, 2015 requirements in a manner that requires the Town to incorporate the requirements of an updated MWELo in a local ordinance, and the amended requirements include provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Article 2.7 shall be enforced.

**Section 8.08.330: Inspections and Investigations by Town**

- A. Town Enforcement Officer and/or its designated entity, including Designees, are authorized to conduct Inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this Section by Organic Waste Generators, Commercial Businesses (including Multi-Family Complexes), property owners, Commercial Edible Food Generators, Authorized Contractors, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow Town to enter the interior of a private residential property for Inspection.
- B. Regulated entity shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the Town's employee or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this Article described herein. Failure to provide or arrange for:
1. access to an entity's premises; or
  2. access to records for any Inspection or investigation is a violation of this ordinance and may result in penalties described.

- C. Any records obtained by a Town during its Inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.
- D. Town representatives, its designated entity, and/or Designee are authorized to conduct any Inspections or other investigations as reasonably necessary to further the goals of this ordinance, subject to applicable laws.
- E. Town shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

#### **Section 8.08.340: Enforcement**

- A. Violation of any provision of this Article shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a Town Compliance Officer or Designee. Enforcement Actions under this Article are issuance of an administrative citation and assessment of a fine. The Town's procedures on imposition of administrative fines set forth in Chapter 1.09 are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this Article and any rule or regulation adopted pursuant to this Article, except as otherwise indicated in this Article.
- B. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. Town may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. Town may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of Town staff and resources.
- C. Responsible Entity for Enforcement
  - 1. Enforcement pursuant to this Article may be undertaken by the Town Compliance Officer, which may be the Town manager or their designated entity, legal counsel, or combination thereof.
  - 2. Enforcement may also be undertaken by a Regional or County Agency Enforcement Officer, designated by the Town, in consultation with Town Compliance Officer.

- a. Town Compliance Officer(s) and Regional or County Agency Enforcement Officer will interpret ordinance; determine the applicability of waivers, if violation(s) have occurred; implement Enforcement Actions; and, determine if compliance standards are met.
- b. Town Compliance Officer(s) and Regional or County Agency Enforcement Officer may issue Notices of Violation(s).

#### D. Process of Enforcement

1. Town Compliance Officers or Regional or County Enforcement Officers and/or their Designee will monitor compliance with the ordinance randomly and through Compliance Reviews, Route Reviews, investigation of complaints, and an Inspection program. Section 8.08.340 establishes Town's right to conduct Inspections and investigations.
2. Town may issue an Officer notification to notify regulated entities of its obligations under the ordinance.
3. Town shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.
4. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, Town shall commence an action to impose penalties, via an administrative citation and fine, pursuant to the Town's Administrative Citation ordinance in Chapter 1.09.

Notices shall be sent to "owner" at the official address of the owner maintained by the tax collector for the Town or if no such address is available, to the owner at the address of the dwelling or Commercial property or to the party responsible for paying for the collection services, depending upon available information.

#### E. Penalty Amounts for Types of Violations

The penalty levels are as follows:

1. A fine not exceeding \$100.00 for a first violation.
2. A fine not exceeding \$200.00 for a second violation of the same code section within 12 months.
3. A fine not exceeding \$500.00 for each day of each additional violation of the same code section within 12 months.

#### F. Compliance Deadline Extension Considerations

The Town may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with Section 8.08.340 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters.
2. Delays in obtaining discretionary permits or other government agency approvals; or,
3. Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the Town is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

#### G. Appeals Process

Consistent with Chapter 1.09, persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation. A hearing will be held only if it is requested within the time prescribed and consistent with Town's procedures in the Town's codes for appeals of administrative citations. Evidence may be presented at the hearing. The Town will appoint a hearing officer who shall conduct the hearing and issue a final written order.

#### H. Education Period for Non-Compliance



Beginning January 1, 2022 and through December 31, 2023, Town or its Designee will conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance, and if the Town determines that the Organic Waste Generator, Self-Hauler, Authorized Contractor, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this Article and a notice that violations may be subject to administrative civil penalties starting on January 1, 2024.

#### I. Civil Penalties for Non-Compliance

Beginning January 1, 2024, if the Town determines that an Organic Waste Generator, Self-Hauler, Hauler, Authorized Contractor, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this Article, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to Section 8.08.340, as needed.

#### J. Enforcement Table

Table 1. List of Violations

| Requirement   | Description of Violation   |
|---|--|
| Commercial Business and Commercial Business Owner Responsibility Requirement<br>Sections 8.08.240 | Commercial Business fails to provide or arrange for Organic Waste collection services consistent with Town requirements and as outlined in this ordinance, for employees, contractors, tenants, and customers, including supplying and allowing access to adequate numbers, size, and location of containers and sufficient signage and container color. |
| Organic Waste Generator Requirement<br>Section 8.08.230, and 8.08.240                             | Organic Waste Generator fails to comply with requirements adopted pursuant to this ordinance for the collection and Recovery of Organic Waste.   |
| Hauler Requirement<br>Section, Section 8.08.280   | A hauler providing residential, Commercial, or industrial Organic Waste collection service fails to transport Organic Waste to a facility, operation, activity, or property that recovers Organic Waste, as prescribed by this ordinance.  |

|  |   |
|--|---|
| Hauler Requirement<br>Section 8.08.280   | A hauler providing residential, Commercial, or industrial Organic Waste collection service fails to obtain applicable approval issued by the Town to haul Organic Waste as prescribed by this ordinance.  |
| Hauler Requirement<br>Section 8.08.280   | A hauler fails to keep a record of the applicable documentation of its approval by the Town, as prescribed by this ordinance.   |
| Self-Hauler Requirement<br>Section 8.08.290  | A generator who is a Self-Hauler fails to comply with the requirements of 14 CCR Section 18988.3(b).  |
| Commercial Edible Food Generator Requirement<br>Section 8.08.260   | Tier One Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2022. |
| Commercial Edible Food Generator Requirement<br>Section 8.08.260   | Tier Two Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2024. |
| Commercial Edible Food Generator Requirement<br>Section 8.08.260   | Tier One or Tier Two Commercial Edible Food Generator intentionally spoils Edible Food that is capable of being recovered by a Food Recovery Organization or Food Recovery Service.   |
| Organic Waste Generator, Commercial Business Owner, Commercial Edible Food Generator, Food Recovery Organization or Food Recovery Service<br>Sections 8.08.230, 8.08.240, 8.08.260, 8.08.270 | Failure to provide or arrange for access to an entity's premises for any Inspection or investigation.   |
| Recordkeeping Requirements for Commercial Edible Food Generator<br>Section 8.08.260  | Tier One or Tier Two Commercial Edible Food Generator fails to keep records, as prescribed by Section 8.08.260  |
| Recordkeeping Requirements for Food Recovery Services and Food Recovery Organizations<br>Section 8.08.260  | A Food Recovery Organization or Food Recovery Service that has established a contract or written agreement to collect or receive Edible Food directly from a Commercial Edible Food Generator pursuant to 14 CCR Section 18991.3(b) fails to keep records, as prescribed by Section 8.08.270                  |

**Section 8.08.350: Effective Date**

This Article shall be effective commencing on January 1, 2022.

**SECTION 3: CEQA** The Town Council finds that the enactment of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15061 (b)(3) and 15308 on the grounds that it can be seen with certainty that the enhanced MSW regulations, as provided for in this Ordinance will not have a significant effect on the environment and that the new requirements, which strengthen requirements for the handling of MSW, represent actions by a regulatory agency (the Town) for the protection of the environment.

**SECTION 4.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Steve Crowder, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

---

Scott E. Huber, Town Attorney



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 6(b)**

**ORIGINATED BY:** Colette Curtis, Recovery and Economic Development Director

**REVIEWED BY:** Kevin Phillips, Town Manager

**SUBJECT:** Category 4 Arborist Services Contract Award

**LONG TERM RECOVERY PLAN:** Yes

**COUNCIL ACTION REQUESTED:**

1. Discuss and consider concurring with staff's recommendation to select P31 Enterprises of Oroville, CA to perform arborist services for the Category 4 Tree Removal Program, and
2. Approve the attached Professional Services Agreement with P31 Enterprises and authorize the Town Manager and Town Mayor to execute the agreement. (ROLL CALL VOTE)

**Background:**

As the Town of Paradise recovers from the Camp Fire, the removal of hazard trees continues to be a priority, one that is complicated and requires a phased approach to leverage the varied funding sources available to us. In the days and weeks after the fire, immediate hazard trees the impeded roadways or created hazards were removed as part of the Town's response. These actions were reimbursable through FEMA's Public Assistance (PA) Program. Following these actions, hazardous trees that threatened public or private roads were removed through the first of its' kind Government Hazard Tree Removal Program in 2020, also reimbursable through FEMA's PA Program. This left hazardous trees rooted on private property that were ineligible for prior programs, but still posed a threat to structures, building sites, living areas, or posted a fire hazard if left in place.

The Category 4 Tree Removal Program, funded through the FEMA Hazard Mitigation Grant Program (HMGP), aims to help property owners with the cost of removing these remaining hazard trees. Phase 1 of this program was approved by FEMA and includes environmental work, property enrollment, and assessment, and pending contract award to an arborist, is expected to begin by August 2022 and be completed by November 2022. Phase 2, which is yet to be awarded by FEMA, will include the removal of identified trees on enrolled properties, and is expected to begin once enrollment and assessment are complete, pending final approval by FEMA.

**Analysis:**

After project environmental work had been completed, the Town issued a Request for Proposals (RFP) for arborists or certified foresters for property assessment in Phase 1 of the Category 4 Tree Removal Program.

By May 12, 2022 at 4:00 PM, Town staff had received 7 responses to the RFP. The proposers included:

- Mason, Bruce & Girard Inc
- Davey Resource Group
- ATM Inc
- California Tree and Landscape Consulting
- Task Force 7
- P31
- ACRT Pacific

The Evaluation Committee received and ranked the proposals according to the criteria provided in the RFP and shown in Table 1:

**Table 1: Criteria Weighting Table**

| No. | Evaluation Criteria                       | Weight      |
|-----|---|-------------|
| 1   | Experience                                | 25%         |
| 2   | Personnel                                 | 15%         |
| 3   | Statement of Availability to Perform      | 10%         |
| 4   | Proposal Format (Completeness)            | 15%         |
| 5   | Understanding, Approach, and Scope        | 30%         |
| 6   | Cost (Utilizing FEMA Evaluation Criteria) | 5%          |
|     | <b>TOTAL</b>                              | <b>100%</b> |

Committee review of the proposals was performed independently. The final rankings of the 7 proposal are shown in Table 2.

**Table 2: Ranking Proposal Scores**

| CONTRACTOR   | Evaluator<br>1 | Evaluator<br>2 | Evaluator<br>3 | Ranking Points | Final<br>Ranking |
|--|----------------|----------------|----------------|----------------|------------------|
| <a href="#">P31</a>                                      | 1              | 1              | 1              | 3              | 1                |
| <a href="#">California Tree and Landscape Consulting</a> | 2              | 2              | 2              | 6              | 2                |
| <a href="#">ATM Inc</a>                                  | 5              | 3              | 3              | 11             | 3                |
| <a href="#">Mason, Bruce &amp; Girard Inc</a>            | 6              | 4              | 4              | 14             | 4                |
| <a href="#">Davey Resource Group</a>                     | 4              | 5              | 7              | 16             | 5                |
| <a href="#">ACRT Pacific</a>                             | 3              | 6              | 8              | 17             | 6                |
| <a href="#">Task Force 7</a>                             | 7              | 7              | 4              | 18             | 7                |

After scoring the proposals, the Committee discussed and reached a consensus selection. The evaluation committee's scores determined P31 as the unanimous preferred consultant and it was determined that there was sufficient consensus to not utilize the "as-needed" interview step of the RFP process. Positive references were received from all provided references and the committee moved forward with P31 as the preferred firm to provide arborist services.

Due to the reality of the unknown universe of properties that will ultimately enroll in the Category 4 Tree Removal Program, the RFP requested all-inclusive per-parcel fees for arborist services.

**Table 3: P31 Per Parcel Inspection Fees**

| Item Number | Description  | Unit Bid Price |
|-------------|--|----------------|
| 1           | Category 4 Tree Assessment (0.00-0.25 Acre Parcel) | \$455.43       |
| 2           | Category 4 Tree Assessment (0.26-0.50 Acre Parcel) | \$550.16       |
| 3           | Category 4 Tree Assessment (0.51-0.75 Acre Parcel) | \$614.66       |
| 4           | Category 4 Tree Assessment (0.76-1.00 Acre Parcel) | \$1,536.64     |
| 5           | Category 4 Tree Assessment (1.01-2.50 Acre Parcel) | \$1,536.64     |
| 6           | Category 4 Tree Assessment (2.51-5.00 Acre Parcel) | \$2,793.90     |
| 7           | Category 4 Tree Assessment (5.00+ Acre Parcel)     | \$2,119.51     |

Staff recommends Council consider awarding the contract, Attachment A, to P31 Enterprises to provide arborist services for the Category 4 Tree Removal Program.

**Financial Impact:**

The professional services agreement and respective services will be 75% funded by FEMA/CalOES HMGP funds. The 25% of remaining match funds will be provided by CDBG Funds if received or from the enrolled property owners if outside match funds are not obtained.

The Category 4 Tree Removal Program currently has up to \$225,000 budgeted for Tree Assessment. We are working with FEMA/CalOES and can increase that amount if necessary using the savings we have incurred from moving management of the project to Town staff from outside consultants.

**Attachments:**

1. Attachment A – Professional Services Contract Agreement

**ATTACHMENT A: PROFESSIONAL SERVICE CONTRACT GREATER THAN \$25,000**

This Contract, dated as of the last date executed by the Town of Paradise is between the Town of Paradise, a municipal corporation of the State of California, hereinafter referred to as "TOWN", and the professional service contractor indicated in the variable information table below, hereinafter referred to as "CONTRACTOR."

| VARIABLE INFORMATION TABLE   |                            |                  |  |                             |                  |
|--|----------------------------|------------------|--|-----------------------------|------------------|
| Term of This Contract  |                            |                  |  |                             |                  |
| Term Begins  |                            |                  | Term Completion Date   |                             |                  |
| On Following Date  | July 15, 2022              |                  | On Following Date  | December 31, 2022           |                  |
| Town Department  | Recover & Econ Dev         |                  |  |                             |                  |
| Basis of Price (Do Not V More Than One of the Following Four Blocks) |                            |                  |  |                             |                  |
| Price  | \$N/A                      | Fixed Price: N/A | Annual Price: N/A  | Monthly Price: N/A          | Hourly Rate: N/A |
| Not-to-Exceed Price  | \$225.000                  |                  | √ if Reasonable Expenses are authorized in addition to Hourly Rate |                             |                  |
| CONTRACTOR Contact Information                                       |                            |                  | TOWN Contact Information   |                             |                  |
| CONTRACTOR   | P31 Enterprises            |                  | Project Manager  | Brian Solecki               |                  |
| Address  | 2015 Challenger Ave        |                  | Address  | 5555 Skyway                 |                  |
| City, State & ZIP  | Oroville, CA 95965         |                  | City, State & ZIP  | Paradise, CA 95969          |                  |
| Telephone  | 530-353-6276               |                  | Telephone  | 530-872-6291 x165           |                  |
| Email  | sriddle@p31enterprises.com |                  | Email  | bsolecki@townofparadise.com |                  |

**WHEREAS**, TOWN, through the TOWN Department identified above, desires to have work described in the Attachment III - Scope of Work performed; and

**WHEREAS**, CONTRACTOR possesses the necessary qualifications to perform the work described herein;

**NOW THEREFORE BE IT AGREED** between the parties to this Contract that this Contract is subject to the provisions contained in the following attachments, which are made a part of this Contract. Should there be any conflicts between this Contract and the attachments that are incorporated herein precedence shall first be given to the provisions of this Contract followed by the attachments, in descending order, as indicated below:

ATTACHMENT 1: REGULATORY COMPLIANCE REQUIREMENTS FOR EXPENSE CONTRACTS

ATTACHMENT 2: DEBARMENT CERTIFICATION

ATTACHMENT 3: NON-LOBBYING CERTIFICATION

ATTACHMENT 4: PROFESSIONAL SERVICE CONTRACT GREATER THAN \$25,000

ATTACHMENT 5: TERMS AND CONDITIONS

ATTACHMENT 6: INSURANCE REQUIREMENTS FOR PROFESSIONAL SERVICES

ATTACHMENT 7: PROFESSIONAL CREDENTIALS

ATTACHMENT 8: SCOPE OF WORK

By signature below, the department head or his or her deputy certifies that no unauthorized alterations have been made to the Attachment I – "Terms and Conditions" and/or the Attachment II – "Standard Insurance Requirements."



Typed or Printed Name Signature Date

This Contract and the above listed Attachments represent the entire undertaking between the parties.

**TOWN: CONTRACTOR:**

By: By:

Date Date:

REVIEWED FOR CONTRACT POLICY COMPLIANCE REVIEWED AS TO FORM:

By: By:

## Attachment 5: Terms and Conditions

1. **Scope of Work.** The work to be undertaken is identified in the attached “Attachment 8-Scope of Work” which is made a part of this Contract.
2. **Reimbursement.** The work shall be performed for the Fixed price, Annual price, Monthly price or Hourly rate as indicated above in the variable information table, but shall not exceed the Not-to-Exceed Price if included in the variable information table. Reasonable expenses if authorized and specified in addition to the Hourly Rate if both the Hourly Rate block and the block authorizing Reasonable Expenses are checked in the variable information table. Payment shall be made after the Project Manager or designee reviews and approves the work and after submittal of an invoice by the CONTRACTOR. Expenses and or materials if stipulated shall be paid only upon prior approval and with receipts and only after review and authorization by the Project Manager.
3. **Town Project Manager.** The TOWN Project Manager or designee for this undertaking who will receive payment invoices and answer questions related to the coordination of this undertaking is identified above in the variable information table.
4. **Independent Contractor.** CONTRACTOR is an independent contractor, working under his/her own supervision and direction and is not a representative or employee of TOWN nor is the CONTRACTOR a partner or in any way directly affiliated with the TOWN. CONTRACTOR agrees to file tax returns, report compensation and pay all applicable taxes on amounts paid pursuant to this Contract.
5. **Ownership.** The TOWN retains the exclusive right of ownership to the work, products, inventions and confidential information produced for the TOWN by the CONTRACTOR, and the CONTRACTOR shall not disclose any information, whether developed by the CONTRACTOR or given to the CONTRACTOR by the TOWN. The parties agree that the TOWN will own the work, products, inventions or information produced by the CONTRACTOR pursuant to this Contract.
6. **Confidentiality.** The CONTRACTOR shall comply as follows and in accordance with the required performance of this contract:
  - a. All applications, records, data or any information concerning any individual made or kept by any public office, officer or department obtained by the CONTRACTOR in the performance of duties or as a consequence of performing said duties, shall be the confidential property of the TOWN and shall not be communicated, transmitted, reproduced or in any other way conveyed to any person not directly a party to this contract, its terms and conditions in accordance with all applicable laws and regulations including but not limited to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and any implications thereof including destruction of records or data as appropriate under compliance criteria.
  - b. No person will publish or disclose or permit or cause to be published or disclosed any data, facts, figures, list of persons or any other form of information obtained by the CONTRACTOR in the performance of duties or as a consequence of performing said duties. No person shall publish, disclose, or use or permit, or cause to be published, disclosed or used any confidential information pertaining to any individual or group of individuals obtained by the CONTRACTOR in the performance of duties or as a consequence of performing said duties.
  - c. CONTRACTOR agrees to inform all employees, agents, associates and partners on the above provisions and that any person knowingly and intentionally violating the provisions of this clause is guilty of a misdemeanor. CONTRACTOR shall bear equal responsibility for any violation of the provisions of this paragraph.

d. CONTRACTOR agrees and understands that if confidential information concerning any individual made or kept by any public office, officer or department is obtained by the CONTRACTOR and included on any memory device that may be housed in a computer, or other device (such as a "PDA") may become subject to Federal HIPAA requirements and/or any state or local regulations that apply which could result in surrender of the hard drive, sanitization or the destruction thereof in accordance with Department of Defense (DoD) 5220.22-M standard and/or industry standards current to time of the release of the equipment which ever represents the greatest level of (permanent) information destruction. At the very least, at the end of this contract, CONTRACTOR may be required to stipulate to the fact that no such files exist.

7. **Termination.** This Contract may be terminated by either the TOWN or CONTRACTOR by a thirty (30)- day written notice. Authorized costs incurred by the CONTRACTOR will be reimbursed up to the date of termination. Notwithstanding anything stated to the contrary herein, this Contract shall expire on the Completion Date indicated in the above Variable Information Table unless the Completion Date is modified by written amendment to this Contract.

8. **Indemnification.** CONTRACTOR agrees to accept responsibility for loss or damage to any person or entity, and to defend, indemnify, hold harmless and release the TOWN, its officers, agents and employees from and against any and all actions, claims, damages, disabilities or expenses that may be asserted by any person or entity, including CONTRACTOR, to the extent arising out of or in connection with the negligent acts or omissions or willful misconduct in the performance by CONTRACTOR hereunder, whether or not there is concurrent negligence on the part of the TOWN, but excluding liability due to the active negligence or willful misconduct of the TOWN. This indemnification obligation is not limited in any way by any limitation on the amount or type of damages or compensation payable to or for CONTRACTOR or its agents under worker's compensation acts, disability benefit acts, or other employee benefits acts. CONTRACTOR shall be liable to TOWN for any loss of or damage to TOWN property arising out of or in connection with CONTRACTOR's negligence or willful misconduct.

9. **Right to Monitor/Audit and Associated Liability.** It being understood by the parties hereto that the TOWN's funding source herein may be TOWN, State and/or Federal appropriation, and therefore CONTRACTOR is responsible for administering the program as described herein, CONTRACTOR agrees to accept responsibility for receiving, replying to and/or complying with an any audit of this project which may be deemed appropriate or required in compliance with TOWN, State or Federal mandates and to reimburse the TOWN for any liability upon the TOWN for any discrepancy resultant from said audit exceptions or for any liability that result from a breach of contract, misrepresentation or inaccuracy.

10. **Record Retention and Availability.** CONTRACTOR shall maintain and preserve all records related to this agreement in its possession (or will assure the maintenance of such records in the possession of any third party performing work related to this agreement) for a minimum period of three (3) years from the effective date of this agreement, or until all State and/or Federal audits are complete, whichever is later. Upon request, CONTRACTOR shall make available copies of these records to TOWN, State or Federal Governments' personnel, including but not limited to the State Auditor General. In the event that this contract is related to a FEMA grant record retention shall be three years from the date of the Grant Close-out letter.

11. **Insurance Requirements.** CONTRACTOR shall procure and maintain for the duration of this Contract, insurance against claims for injuries to persons or damages to property which may arise from, or be in connection with the performance of the Work hereunder by CONTRACTOR, CONTRACTOR's agents, representatives, employees and subcontractors. At the very least, CONTRACTOR shall maintain the insurance coverage, limits of coverage, and other insurance requirements as described in **Attachment II** to this Contract.

12. **Changes to the Contract.** Changes to this Contract may only be approved by written amendment to this Contract. No alteration or variation of any term or condition of this agreement shall be valid unless made in writing, signed by the parties hereto in accordance with TOWN Policies and Procedures. No oral understanding or agreement not incorporated as a duly authorized written amendment shall be binding on any of the parties hereto.

13. **Representations and Warranties.** CONTRACTOR by execution represents the skill, knowledge, proficiency and expertise to perform as herein stipulated and warrants that the credentials presented herein Attachment VI are authentic, current and duly granted.

14. **Contractor's Standard of Care.** TOWN has relied upon the professional ability, experience, and credentials presented and represented by the CONTRACTOR as a material inducement to enter into this Contract. CONTRACTOR hereby warrants that all of CONTRACTOR's work will be performed in accordance with generally accepted and applicable professional practices and standards as well as the requirements of applicable Federal, State and local laws, it being understood that acceptance of CONTRACTOR's work by TOWN shall not operate as a waiver or release. Where applicable, the CONTRACTOR shall maintain the appropriate certification(s), license(s) or accreditation(s) through the life of this contract, as submitted and stipulated herein Attachment VI and make them available for audit upon request by the TOWN.

15. **Termination for Exceeding Maximum Level of Expenditures.** Contracts exceeding the monetary limits delegated to the Purchasing Agent, or authorized deputies, are not valid unless duly executed by the Town Manager. If this Contract was executed for the TOWN of Paradise by the Purchasing Agent, or authorized deputy, this Contract shall automatically terminate on the date that the provision of services or personal property or incurring of expenses, the cumulative total of which, exceeds the amount prescribed by Government Code Section 25502.5 for personal services contracts or the amount prescribed by Public Contract Code Section 22032 (b) for public works contracts.

16. **Termination for Exceeding Maximum Term.** Contracts exceeding the five-year term delegated to the Purchasing Agent, or authorized deputies, are not valid unless duly executed by the Chair of the Board of Supervisors. If this Contract was executed for the TOWN of Paradise by the Purchasing Agent, or authorized deputy, this Contract shall automatically terminate on the date that the term exceeds five years. Amendments to this Contract, or new Contracts for essentially the same purpose, shall not be valid beyond the five-year limitation unless duly executed by the Chair of the Board of Supervisors.

17. **Compliance with Laws.** CONTRACTOR shall comply with all Federal, State and local laws, rules and regulations including, without limitation, and not limited to any nondiscrimination laws. Specifically, the CONTRACTOR by executing this agreement stipulates and certifies that as an individual or as an entity, complies in good faith as well as all actions the following regulatory requirements at least but not limited to:

- a. Non-discrimination with regard to minority, women, and disabled veteran-owned business enterprises; hiring practices on the basis of race, color or national origin, gender, handicaps or age.
- b. Environmental protection legislation and in particular regarding clean air and water, endangered species, handling or toxic substances and the public right to know.
- c. Drug Free workplace, Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act and Public Health Service Act
- d. National Labor Relations Board Public Contract Code 10296.
- e. Domestic Partners – Public Contract Code 10295.3.
- f. ADA 1990 42 USC 12101 et seq.

18. **Applicable Law and Forum.** This Contract shall be construed and interpreted according to California law and any action to enforce the terms of this Contract for the breach thereof shall be brought and tried in the Superior Court of the County of Butte.\_

19. **Contractor Performance and the Breach Thereof.** The TOWN may terminate this agreement and is relieved of the payment of any consideration to CONTRACTOR should CONTRACTOR fail to perform the covenants herein contained at the time and in the manner herein provided. CONTRACTOR shall be notified in a timely manner of default and provided 30 days in which to remedy the default. If at the end of the 30 days, if remedy is not made or does not satisfy the default, the TOWN shall notify the CONTRACTOR of the breach and thereby the termination of this contract. In the event of such termination, the TOWN may proceed with the work in any manner deemed proper

by the TOWN. The cost to the TOWN shall be deducted from any sum due the CONTRACTOR under this agreement and the balance, if any, shall be retained by the TOWN.

20. **Contradictions in Terms and Conditions.** In the event of any contradictions in the terms and/or conditions of this Contract, these Attachment I TERMS AND CONDITIONS shall prevail.

21. **No Delegation Or Assignment.** Provider shall not delegate, transfer or assign its duties or rights under this Agreement, either in whole or in part, directly or indirectly, by acquisition, asset sale, merger, change of control, operation of law or otherwise, without the prior written consent of TOWN and any prohibited delegation or assignment shall render the contract in breach. Upon consent to any delegation, transfer or assignment, the parties will enter into an amendment to reflect the transfer and successor to CONTRACTOR. TOWN will not be obligated to make payment under the Agreement until such time that the amendment is entered into.

22. **Conflict of Interest.** CONTRACTOR and CONTRACTOR'S employees shall have no interest, direct or indirect, which will conflict in any manner or degree with the performance of services required under this contract.

a. This contract is entered into by TOWN upon the express representation that CONTRACTOR has no other contracts in effect with TOWN except as described on Exhibit "A" hereto attached. Exhibit "A" is hereby made part of this contract by its reference herewith and hereby subjugated to these General Terms and Conditions (Attachment I).

b. CONTRACTOR understands and will adhere to the TOWN's policy that no contracts shall knowingly be issued to any current TOWN employee or his/her immediate family or to any former TOWN employee or his/her immediate family until two years after separation from employment, without notifying the Director of the Department of Human Resources in writing:

Director of Human Resources  
5555 Skyway  
Paradise, CA 95969

c. CONTRACTOR stipulates by execution of this contract that they have no business or other interest that provides any conflict with the interest of the Town of Paradise in the matters of this agreement. CONTRACTOR recognizes that it is a breach of ethics to not disclose any interest that may be a conflict to the TOWN for the advice of Town Attorney on the matter prior to executing this contract.

23. **Canon of Ethics.** CONTRACTOR by execution of this contract agrees to act in the best interest of and on behalf of the Town of Paradise and its constituents in all matters, honest, fair, prudent and diligent as dictated by reasonable standards of conduct for their profession.

24. **Severability.** The terms and conditions of this contract shall remain in force and effect as a whole separate from and even if any part hereof the agreement is deemed to be invalidated.

25. **No Implied Waiver.** In the event that The TOWN at any point ignores or allows the CONTRACTOR to break an obligation under the agreement, it does not mean that TOWN waives its future rights to require the CONTRACTOR to fulfill those obligations.

26. **Entirety of Agreement.** This contract inclusive of all Attachments herein is stipulated and made part of the contract constitutes the entire agreement between these parties.

**EXHIBIT "A"**  
**Acknowledgement of OTHER TOWN Contracts**

List any and all contracts that you have with TOWN agencies. If none, you must stipulate "none." This cannot be left blank or omitted from the contract.

## Attachment 6: Insurance Requirements for Professional Services

**\*Please provide a copy of Attachment 6 to your insurance agent.**

Contractor shall procure and maintain for the duration of this contract, insurance against claims for injuries to persons or damages to property that may arise from or be in connection with the performance of the work hereunder by Contractor, Contractor's agents, representatives, employees and subcontractors. Before the commencement of work Contractor shall submit Certificates of Insurance and Endorsements evidencing that Contractor has obtained the following forms of coverage:

### A. MINIMUM SCOPE AND LIMITS OF INSURANCE - Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than **\$2,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
1. **Automobile Liability:** ISO's Commercial Automobile Liability coverage form CA 00 01.
  1. Commercial Automobile Liability: Covering any auto (Code 1) for corporate/business owned vehicles, or if Contractor has no owned autos, covering hired (Code 8) and non-owned autos (Code 9), with limits no less than \$1,000,000 per accident for bodily injury and property damage.
  1. Personal Lines automobile insurance shall apply if vehicles are individually owned, with limits no less than \$100,000 per person, \$300,000 each accident, \$50,000 property damage.
3. **Workers' Compensation Insurance:** As required by the State of California with Statutory Limits and Employer's Liability Insurance with limits of no less than **\$1,000,000** per accident for bodily injury and disease. *(Not required if Contractor provides written verification he or she has no employees.)*
4. **Professional Liability (Errors and Omissions):** Insurance appropriate to Contractor's profession, with limits no less than **\$1,000,000** per occurrence or claim, **\$2,000,000** aggregate.

If Contractor maintains broader coverage and/or higher limits than the minimums shown above, the Town requires and shall be entitled to the broader coverage and/or higher limits maintained by Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the Town.

### B. OTHER INSURANCE PROVISIONS - The insurance policies are to contain, or be endorsed to contain, the following provisions:

1. The Town of Paradise, its officers, officials, employees and volunteers are to be covered as additional insureds on the CGL and Commercial Auto policies with respect to liability arising out of work or operations performed by or at the direction of the Contractor, including materials, parts or equipment furnished in connection with such work or operations. General Liability coverage can be provided in the form of an endorsement to Contractor's insurance (at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10, CG 20 26, CG 20 33, or CG 20 38 and CG 20 37 forms if later revisions used).
- 2) For any claims related to this contract, Contractors insurance coverage shall be primary insurance coverage at least as broad as ISO Form CG 20 01 04 13 as respects the Town, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the Town, its officers, officials, employees and volunteers shall be excess of Contractors insurance and shall not contribute with it.

3) Each insurance policy required above shall state that coverage shall not be canceled, except with notice to the Town.

**C. WAIVER OF SUBROGATION:** Contractor hereby grants to Town a waiver of any right to subrogation which any insurer of said Contractor may acquire against the Town by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the Town has received a waiver of subrogation endorsement from the insurer. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the Town for all work performed by the Contractor, its employees, agents and subcontractors.

**D. SELF-INSURED RETENTIONS:** Self-insured retentions must be declared to and approved by the Town. The Town may require Contractor to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or Town.

**E. ACCEPTABILITY OF INSURERS:** Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Town.

**F. VERIFICATION OF COVERAGE:** Contractor shall furnish Town with original certificates of insurance including all required amendatory endorsements (or copies of the applicable policy language affecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The Town reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

**G. SPECIAL RISKS OR CIRCUMSTANCES:** Town reserves the right to modify these requirements including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

**H. SUBCONTRACTORS:** Contractor shall include all subcontractors as insured under its policies or require all subcontractors to be insured under their own policies. If subcontractors are insured under their own policies, they shall be subject to all the requirements stated herein, including providing the Town certificates of insurance and endorsements before beginning work under this contract.

**I. CLAIMS MADE POLICIES:** If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown, and must be before the date of the contract or the beginning of contract work.
1. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
2. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Contractor must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.
3. A copy of the claims reporting requirements must be submitted to the Town for review.



### **3. Attachment 7: Professional Credentials**

The CONTRACTOR herein presents the required and essential credentials for performance of this contract and warrants them to be authentic, current and duly granted.

List required and essential credentials which will be available in the contract file and may or may not be hereto attached and which may be but are not limited to:

Professional Degrees

Licenses

Certifications

Bonds

#### 4. Attachment 8: Scope of Work

Unless indicated otherwise herein, the CONTRACTOR shall furnish all labor, materials, transportation, supervision and management and pay all taxes required to complete the project described below:

At *(fill in the appropriate point)* prior to the end of the contract term an assessment may be made of the value of the professional services herein delineated and thus far received. At the conclusion of the assessment, it may be determined that the CONTRACTOR owes certain fulfillment and/or deliverables for which the remaining payments may be withheld up to 20% of the contract. The assessment may determine that there is additional work to be amended to this scope of work. In the event of an amendment, the CONTRACTOR shall be notified and the amendment submitted and duly authorized in accordance with TOWN Policy and Procedure. Otherwise, pertaining to this contract's scope of work it is the CONTRACTOR's responsibility to remain within the term and amount of the contract. If the terms and/or conditions of this contract including the amounts, rates, time and/or duration are exceeded in any way without fully executed amendment, the CONTRACTOR may not be reimbursed.

*NOTE: If detail rate schedules or other documents are appropriate to the Scope of Work and separate from this Attachment III they must be stipulated in this Attachment by specific reference and thereby made part of this contract, labeled accordingly (Attachment III, Exhibit A, (or whatever the appropriate specific reference), etc.). They must also be included in the pagination of this contract. Consequently, it is necessary to scan them into the body of the contract where pagination control can make them inclusive.*

Duties and obligations of the CONTRACTOR:

Since this is a professional service contract, this is the appropriate point in the contract to stipulate any subjective expectation that may be implied by their profession but once explicated become performance elements of the contract.

State all specific elements of the contract for which specific payment due as objectively as possible. Whether contract is based on hourly, daily, weekly, monthly rates; flat rate for deliverables; project milestone incremental payments; charges for use of particular (i.e., therapeutic) equipment or implements; any reports, criteria and schedule

Scope of Work shall include all services necessary to implement the proposed work, including staffing for a project manager, certified arborists, data support, GIS analysts, administrative support, and other direct costs. Payment for these services shall be made according to the Cost Proposal submitted in the following format:

Category 4 Tree Assessment (0.00-0.25 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (0.26-0.50 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (0.51-0.75 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (0.76-1.00 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (1.01-2.50 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (2.51-5.00 acre parcel) = \$ \_\_\_\_\_/parcel

Category 4 Tree Assessment (5.00+ acre parcel) = \$ \_\_\_\_\_/parcel

The Town of Paradise zoning map public interface for research into various parcel sizes can be found here: <https://www.townofparadisemapping.com/>

If expenses are allowed, specify what is reasonable and/or reimbursable AND always state that expenses (unless per diem) must be preapproved and accompanied by receipts. There should be a cap to the expenses.

If "materials" are required, specify what they will (or might be) and some approximation not to exceed amount. Unless the materials are provisions of the "house" of the contractor, they will require receipts to be presented with invoice stipulating their charge.

State any circumstances under which no payment will be made.

State if payments are contingent on specific delineation on the invoice(s) such as coding or regulatory designated description.

Recommend that rates be laid out in table format if possible for clarity and ease of processing payments.

State specifically that payments stipulated are the Contractor's only compensation.

Duties and obligations of the TOWN:

TOWN's obligations may be:

- Town reserves the right to award more than one contract, if desired.

- Make any relevant notification promptly
- Provide data promptly
- Provide schedules or set up meetings or respond to presentation of information promptly
- Pay upon provision as herein stipulated and after presentation of appropriate receipts and/or invoice.
- If possible avoid stipulating payment within specific period. If absolutely necessary state no less than 30 days and 60 days is not atypical.
- Town does not pay interest or penalties.



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*Scope Continued*

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*Parcel Assessment and Data Collection:*

To assess each parcel entered in the Category 4 Tree Removal Program with the Town of Paradise, P31 will provide Arborist Strike teams consisting of one TRAQ Certified Arborist to identify qualifying Hazard Trees and one field technician to tag each tree with a uniquely identifying barcode and electronically document all data collected per tree using a GIS application on a mobile device.

The work will be divided out per East/West Paradise and per evacuation zone to efficiently complete parcel assessments in grid-like areas. During our assessment process we will follow all FEMA guidelines set forth in the Category 4 Tree Removal Program and use the Town of Paradise's inspection checklist to electronically document all trees identified as a Hazard. The data collected will include:

- A. A unique identification number for each tree captured in a barcode attached at the base of the tree.
- B. The number of trees and location of each tree per parcel on an electronic site assessment map.
- C. Tree species/type identification for each tree.
- D. The diameter at breast height (at 4.5 feet above ground level) of the Hazard Tree.
- E. The Hazard Tree's GPS coordinates.
- F. A prioritization ranking for each tree based on Town determined removal priorities.
- G. Proposed removal methods for each hazard tree.
- H. A photograph of each tree captured pre-removal showing the identification number on the barcode located at the base of the tree and a photograph post-removal showing the identification number on the barcode on the remaining stump.
- I. An electronic survey map showing the location of the Hazard Trees on the property. The survey map shall include each tree represented as a circle tagged with its unique tree identification number located on its barcode.

*Quality Control Process:*

Once each work order is complete, P31 will utilize the same work order that was originally released to each Arborist Strike team and perform a QC audit on each parcel. This QC team will also consist of one TRAQ Certified Arborist and a field tech. They will be visually reinspecting each site to ensure that to the best of their ability that there are not any missed trees and that each tree that qualified for removal is located on the correct parcel.

*Dissemination of Findings:*

All data collected will be placed into a database folder for each property by APN and made available to the Town of Paradise, with all information included in this scope of services transmitted to the Town no later than December 2022.

| Item Number | Description  | Quantity | UM   | Unit Bid Price | Total Bid Price |
|-------------|--|----------|------|----------------|-----------------|
| 1           | Category 4 Tree Assessment (0.00-0.25 Acre Parcel) | 1        | EACH | \$455.43       | \$455.43        |
| 2           | Category 4 Tree Assessment (0.26-0.50 Acre Parcel) | 1        | EACH | \$550.16       | \$550.16        |
| 3           | Category 4 Tree Assessment (0.51-0.75 Acre Parcel) | 1        | EACH | \$614.66       | \$614.66        |
| 4           | Category 4 Tree Assessment (0.76-1.00 Acre Parcel) | 1        | EACH | \$1,536.64     | \$1,536.64      |
| 5           | Category 4 Tree Assessment (1.01-2.50 Acre Parcel) | 1        | EACH | \$1,536.64     | \$1,536.64      |
| 6           | Category 4 Tree Assessment (2.51-5.00 Acre Parcel) | 1        | EACH | \$2,793.90     | \$2,793.90      |
| 7           | Category 4 Tree Assessment (5.00+ Acre Parcel)     | 1        | EACH | \$2,119.51     | \$2,119.51      |



## Town of Paradise

### Council Agenda Summary

Agenda Item: 6(c)

Date: June 14, 2022

**ORIGINATED BY:** Marc Mattox, Public Works Director  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Paradise Sewer Project – Draft SRPAC Principles of Agreement  
**LONG TERM RECOVERY PLAN:** Yes, Tier 1 “Sewer”

#### COUNCIL ACTION REQUESTED:

- a) Discuss and consider approving the Principals of Agreement between the Town of Paradise and City of Chico developed by the Sewer Regionalization Project Advisory Committee. The Inter-Municipal Agreement between the Town and City will utilize the approved Principals of Agreement.

#### Background:

On Monday, March 21, the Sewer Regionalization Project Advisory Committee (SRPAC) approved the first draft of the Principles of Agreement, which could guide a future agreement between the City of Chico and Town of Paradise for wastewater treatment services.

Prior to the Camp Fire, the Town of Paradise was one of the largest communities without a formal wastewater treatment system, meaning each parcel is required to maintain onsite septic tanks and leach fields. While studied since before the Town incorporated in 1979, the need for a sewer system in Paradise has never been greater in response to the Camp Fire. If constructed, a collection system and export pipeline to the existing Water Pollution Control Plant owned and maintained by the City of Chico, the Paradise Sewer Project would improve groundwater quality and enable increased development of affordable housing within the Town of Paradise while supporting the regional recovery.

The SRPAC, comprised of Mayor Coolidge and Vice Mayor Reynolds of the City of Chico and Mayor Crowder and Councilmember Jones of the Town of Paradise, serves to:

- (1) Monitor progress of the Paradise Sewer Project, including the Project’s Environmental Impact Report (EIR), and efforts being done under the Town and City’s Cooperative Work Agreement,
- (2) Develop the Principles of Agreement for an inter-municipal agreement between the Town and City, and make a recommendation on those Principles to the two Councils if applicable, and
- (3) Guide public participation in the EIR process, which will happen separately, but in parallel with the Committee’s work.

The Principles of Agreement outline key parameters of a potential agreement such as ensuring that ratepayers for Chico are not financially responsible for any aspect of Paradise’s treatment needs, in addition to a potential connection payment from the Town of Paradise to the City of

Chico, currently estimated at \$14.9 million, to support the existing plant and capacity related needs.

The Principles of Agreement also set forth a requirement that the Paradise Sewer Project only serves properties within the Town of Paradise Town Limits.

The Principles of Agreement created by the SRPAC were approved as Draft, without comments by both Paradise Town Council (April 2022) and Chico City Council (May 2022) and received no public comments in the 30-day public noticing period.

#### **Analysis:**

The SRPAC has requested a formal 30-day public comment period of the draft Principles of Agreement before further revisions are considered and ultimately used to create a contract between the communities if the project were to move forward. This 30-day review period began on Friday March 25th and concluded on Monday April 25th. During this time, the draft was available on each community's website as well as the project specific website at [www.paradisewer.com](http://www.paradisewer.com). Physical copies of the Principles of Agreement were also available for review at the City and Town Clerk's Offices, respectively. Public Comments for the Principles of Agreement were encouraged to be submitted through the project website at <https://paradisewer.com/contact/> using the online form, and were also available to be submitted via email to [sewercommittee@townofparadise.com](mailto:sewercommittee@townofparadise.com). No public comments were received during the 30-day public comment period. No additional comments were received about the draft Principles of Agreement after the comment period.

An additional component of the 30-day public comment period was placement of the draft Principles of Agreement on the Council agenda for both the City and Town. The Paradise Town Council recommended approval of the Draft Principles of Agreement on April 12, with no public comment and no comments by Town Councilmembers. The Chico City Council recommended approval of the Draft Principles of Agreement on May 17th, with no public comment and no comments by City Councilmembers.

Opportunities provided for participation and comments are listed below:

|          |   |
|----------|---|
| March 25 | Start of 30-day Public Comment Period             |
| April 12 | Town of Paradise Council Meeting (Approved Draft) |
| April 19 | City of Chico Council Meeting (Approved Draft)    |
| April 25 | End of 30-day Public Comment Period (No comments) |
| June 7   | City of Chico Council Meeting (Consider Final)    |
| June 14  | Town of Paradise Meeting (Consider Final)         |

Separately, the Paradise Sewer Project's Draft Environmental Impact Report is anticipated to be released in summer 2022 and will have its own public comment and review period prior to consideration of a Final Environmental Impact Report in late 2022.

#### **Financial Impact:**

There are no financial impacts associated with this specific action requested. As previously discussed, in the framework of a potential connection payment would require \$14.9 million to be paid from the Town of Paradise to the City of Chico for the purposes of accommodating the Paradise Sewer Project's wastewater treatment needs.

#### **Attachments:**

- A. Principles of Agreement
- B. Project Fact Sheet



# TOWN OF PARADISE SEWER PROJECT

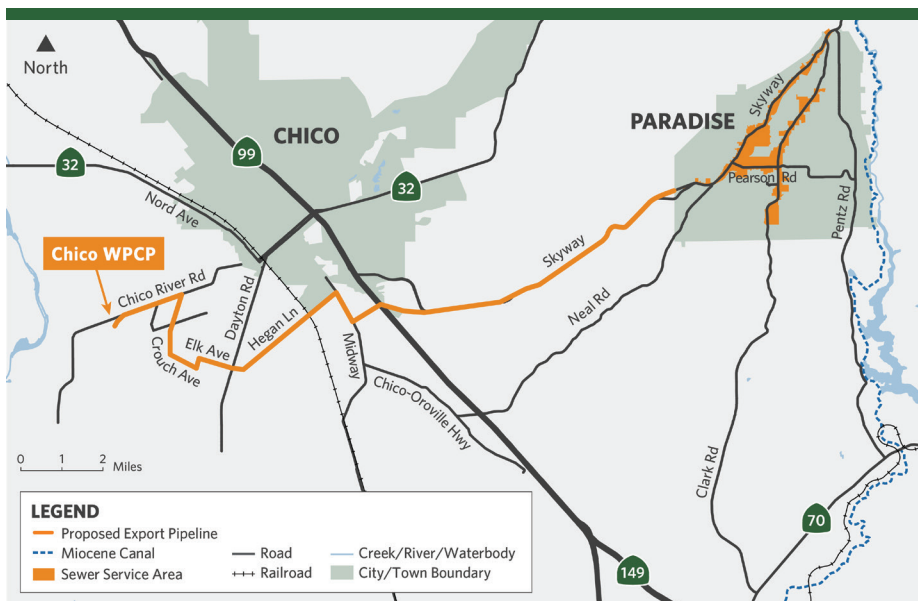
## FACT SHEET

MARCH 2022

### PROJECT OVERVIEW

Since its incorporation in 1979, the Town of Paradise has sought a wastewater treatment solution, with a focus primarily on commercial and densely-populated residential areas — the portions of Paradise most vulnerable to groundwater degradation and economic stagnation due to sewer limitations.

In 2020, the Town contracted with HDR, an engineering consulting firm, to prepare an updated assessment of project options. The assessment compared two alternatives for local wastewater treatment and discharge with a regional alternative involving piping wastewater to the Chico Water Pollution Control Plant (WPCP). The regional alternative was recommended because it had the lowest cost, community impacts, probable environmental impacts as well as the simplest operations and most support from the Central Valley Regional Water Quality Control Board. The Town is now moving forward with preparation of a full Environmental Impact Report (EIR) to provide further information on sewer project alternatives.



The proposed project is currently estimated to cost approximately \$184 million.



**\$2M**  
EIR



**\$30M**  
Design and Right-of-Way



**\$152M**  
Construction

### PROJECT SCHEDULE



### STAY UPDATED!



[PARADISESEWER.COM](https://paradise sewer.com)



[INFO@PARADISESEWER.COM](mailto:info@paradise sewer.com)



**530-872-6**  
EXT. 112

501



# REBUILDING PARADISE

## ECONOMIC BENEFITS OF THE PARADISE SEWER PROJECT

### PROVIDE MUCH NEEDED HOUSING



#### Workforce housing needs

- 95% of residents work for local employers
- 10% of the region's construction workforce was housed in Paradise



#### Sewer infrastructure supports quick rebuild

- Increases affordable housing
- Greater economic return for developers

### INCREASE PROPERTY VALUES & BUSINESS PROFITABILITY



#### Septic systems decrease value

- Smaller, older residential lots on septic systems have a lower value, lack development potential
- Businesses on septic systems have higher operational costs



#### Sewer infrastructure supports growth

- Raises the value of land in the SSA
- Provides reliable wastewater disposal
- Lowers the start-up costs for high-water-usage businesses like restaurants

### IMPROVE HEALTH & THE ENVIRONMENT



#### Regulations mitigate risk

- Strict regulations govern the discharge of treated wastewater, especially in communities impacted by failing septic systems development potential



#### Sewer Infrastructure protects resources

- Provides cleaner disposal of wastewater
- Improves groundwater quality
- Decreases health impact on communities

### ADDITIONAL BENEFITS



Less strain on Chico's housing market, Greenline, transportation infrastructure, and other systems



Regional partnerships and opportunities for additional funding

# FINAL Principles of Agreement

## (version 8, 3-May-2022)

### Introduction and Background

Through its work on the Paradise Sewer Project (Project), the Town of Paradise (Town) has identified a connection to the Chico Water Pollution Control Plant (WPCP) as its preferred alternative for wastewater treatment and disposal, and has approached the City of Chico (City) to explore the feasibility of such a connection. The Councils of the Town of Paradise and City of Chico have formed a Sewer Regionalization Project Advisory Committee (Committee) as a mechanism for exploring this proposal. The Central Valley Regional Water Quality Control Board (Regional Board) has agreed to facilitate the activities of the Committee.

Membership on the Committee is limited to elected officials from the Town and City, as those two parties are signatories to the Cooperative Funding Agreement (CFA) and will be signatories to a future inter-municipal agreement (IMA). The Town and City have both designated their Mayors and Vice Mayors as their Committee members.

The Committee will develop an agreed-upon list of basic principles for an IMA, which will be captured in this document, the Principles of Agreement (POA). It is anticipated that a draft POA will be developed by the Committee, which will then be brought to the Town Council and City Council for review and approval. The final POA would then be turned over to legal counsel from the Town and City to draft into an IMA for consideration by the Town Council and City Council.

### City of Chico Municipal Code

The City of Chico has a provision in its municipal code *Section 15.40.285—Regulation of Waste Received from Other Jurisdictions* that specifically addresses handling wastewater from outside the city's sanitary sewer system. That code section is presented in its entirety at the end of this document.

### Principles of Agreement

The Principles of Agreement are divided into 17 subject areas, as listed below. (Other subject areas may be added over time.) The first eight items reflect the eight items specified in Section 15.40.285. Over the course of its work, the Committee will develop specific agreed-upon statements (principles of agreement) for each of these items.

1. **Sewer Use Ordinance:** The Town will need to adopt a sewer use ordinance that parallels the City's sewer use ordinance. The POA could contain a commitment from the Town to have an ordinance completed by a certain milestone.
  - **DRAFT:** The Town will adopt a sewer use ordinance that parallels the City's ordinance. The Town's ordinance shall be adopted and in place 30 days prior to the commencement of discharge into the Project.
2. **User Inventory:** The Town will need to submit an annual inventory of entities discharging into the sewer system. The POA could contain a statement to that effect.
  - **DRAFT:** The Town will submit a quarterly inventory of entities discharging into its sewer system, classified by residential and commercial dischargers. This quarterly report will also contain an estimate of new connections estimated to occur over the upcoming 12 months, broken down by the same classifications.

This inventory will reflect data from July 1 through June 30 of each year, and will be submitted by August 1 of each year.

- **DRAFT:** The Town will develop and administer a Sewer Application process, with two parts—a Town-reviewed portion for the collection system and a City-reviewed portion for treatment. The treatment portion will follow the existing City sewer application. If the proposed discharge exceeds the thresholds established in the pretreatment program (see below), it will have to treat its discharge to a sufficient degree to meet the City's pretreatment program requirements. Businesses would face the same pretreatment requirements, whether they are in Paradise or Chico.
  - **DRAFT:** The Town and the City agree to prohibit future connections to the export pipeline in the portion of the pipeline that sits outside of the Town limits or City limits.
3. **Pretreatment:** The City has an existing pretreatment program to monitor industrial/commercial dischargers, which Town dischargers will need to meet. (The City has two employees conducting annual inspections of commercial/industrial dischargers.) The POA could contain a statement to that effect. In addition, the Town will need to decide whether to create and administer its own pretreatment program, or simply comply with the City's pretreatment program. Ultimately, the Town and City will need to determine who implements the various pretreatment activities for Paradise dischargers. The POA could contain the basic definition of these divisions of responsibility.
- **DRAFT:** The Town will follow the City's pretreatment program, including future changes; the Town will not develop a pretreatment program of its own. This includes the City's Fats, Oils & Grease (FOG) program. Dischargers would follow the City's pretreatment program application process, which includes setting monthly fees. Pretreatment program fees will be collected by the Town and conveyed to the City, similar to the process outlined in Item 10.
4. **Pretreatment Data Access:** The Town will need to provide the City with all information it obtains related to the pretreatment activities. The POA could contain a statement to that effect.
- **DRAFT:** The Town will provide the City with all information it obtains relative to meeting the City's pretreatment program requirements.
  - **DRAFT:** ~~Paradise will contract with the City or hire and use qualified professionals (Industrial Waste Inspectors, testing, labs, etc.) to conduct its pretreatment activities.~~ [Staff Input: This statement may no longer apply, given the decision made on Item 3—Pretreatment. Delete.]
5. **Wastewater Limits:** The agreement will need to define limits on the volume and quality of Paradise wastewater discharged to the Chico Water Pollution Control Plant (WPCP). This will likely be addressed by the City's CFA efforts; the Committee would then review those

results and draft POA language. Town and City staff are currently awaiting results from the City's engineering consultant in order to draft suggested language for this item.

- **DRAFT:** Associated with the treatment connection payment (described below), the Town of Paradise wastewater flow to the Chico WPCP will be limited to 0.464 million gallons per day (mgd) average dry weather flow (ADWF). ADWF will be calculated using criteria specified by the Central Valley Regional Water Quality Control Board in the Chico permit. It is anticipated that a majority of the wastewater discharges into the Paradise collection system will be of typical residential and commercial quality. However, all potential Town discharges will be subject to the Pretreatment requirements of this agreement, as specified in Section 3.
6. **Wastewater Monitoring:** The agreement will need to define how the volume and quality of Paradise wastewater will be monitored.
- **DRAFT:** The Termination Structure, to be constructed as part of the Paradise Sewer Project, will contain wastewater monitoring equipment (e.g., flow meter, composite sampler). Because the City has staff familiar with this type of equipment, and because it has its own wastewater laboratory for testing wastewater samples, the flow metering and monitoring equipment will be operated and maintained by City staff, and samples will be processed in the City lab. Consideration will also be given to having some level of monitoring equipment at the upper end of the export pipeline. A payment will be negotiated at the start of the contract and paid annually by the Town to the City to cover the costs associated with these efforts.
7. **Access to Facilities:** The City will need to be granted access to the Town's wastewater facilities, including those within the Town's boundaries. The POA could contain a statement to that effect.
- **DRAFT:** The Town will grant the City access to the Town's wastewater facilities, including those within the Town's boundaries for purposes of inspection, sampling, and other duties deemed necessary by the City. The City will give the Town sufficient notice to allow the Town to arrange safe access to the facilities. The Town and City will look for efficient ways to jointly conduct inspections to minimize impacts to both entities' staff.
8. **Remedies for Breach of Agreement:** Like all legal agreements, the IMA will need to address how the parties would handle any breach of the agreement. This item might need input from Town and City attorneys, in order to draft appropriate POA language. These remedies will vary by the various required items in this POA.
- **DRAFT:** If disagreements exist between the Town and City attorneys regarding agreement language, those disagreements will be brought back to the Committee to attempt to resolve.

9. **Treatment Connection Payment.** A number of items need to be addressed related to the treatment connection payment to be paid by the Town for connecting to the Chico WPCP. These will likely be addressed by the City's CFA efforts; the Committee would then review those results and draft POA language. Items include:
- How much should the initial connection payment be (e.g., for the initial Paradise flow or the ultimate flow)?
  - If ongoing connection fees are to be collected for future connections, how much should they be (e.g., linked to the City of Chico's current connection fee schedule)?
  - How should they be collected and paid to the City of Chico (e.g., collected by the Town of Paradise on an ongoing basis and paid to the City of Chico quarterly)?
  - **DRAFT:** The goal is to obtain funding for the treatment connection payment in a similar manner to the remainder of the Paradise Sewer Project. The payment is currently estimated at \$14.9 million (estimated as December 2026 dollars; as documented in "Regionalization Planning Report for the Paradise Sewer Project," Carollo Engineers, March 2022), which the Town of Paradise would pay to the City of Chico to cover treatment capital costs associated with a wastewater flow from the Town of 0.464 mgd ADWF (see ADWF definition above). From six to 12 months before the date of connection, the estimated treatment connection payment will be recalculated using the methodology established in the Carollo study. This payment is assumed to be made at the time that initial Paradise flows are sent to the Chico WPCP, currently estimated to start on or about December 2026.
10. **Monthly User Fees.** A number of items need to be addressed related to the monthly fees to be paid by the Town for discharging to the Chico WPCP. (Note: The City does not currently break its monthly fees into treatment and collection system components.) Items include:
- How much should the monthly user fees charged to the Town be (e.g., linked to the treatment portion of the City of Chico's current monthly user fees)?
    - **Draft:** Assuming that the City establishes a treatment portion of its monthly user fee, the Town users will pay that treatment monthly user fee to the City. Town users will also pay a collection system monthly user fee to the Town associated with the Town's collection system and export pipeline O&M costs.
  - How should they be collected and paid to the City of Chico?
    - **Draft:** The Town will collect the treatment monthly user fee from its users. The Town will submit the total treatment monthly user fee amount to the City on a [monthly/quarterly] basis. The Town will be responsible for collecting unpaid treatment monthly user fees from its users.

- How should future rate updates be handled?
  - **Draft:** As discussed above, the Town users will pay the treatment monthly user fee established in the City's fee schedule, including any future increases made to those fees. The assumption is that the City and Town users will pay the same monthly treatment fee based on the established fee schedule. Future increases will follow the Prop 218 process, including public noticing.
- [There is potential for power generation as the wastewater moves from Paradise down off the Ridge to Chico. Need to address potential for sharing any electrical generation revenue.]
  - **DRAFT:** It is generally not practical to generate electricity from raw wastewater flows, especially intermittent flows that we will see in the export pipeline. Therefore, this item will not be addressed in the POA. [leave this item in the POA, to allow others to see the discussion/conclusion]
- [There is potential for Chico to treat its wastewater for recycling. Need to address the potential for revenue sharing.]
  - **DRAFT:** Because the City's wastewater system operates as an "enterprise" fund, any income or cost resulting from water recycling will be incorporated into the City's connection fees and monthly user fees. This item can be stated in the POA as an item not included. [leave this item in the POA, to allow others to see the discussion/conclusion]
- [Include a requirement for producing an annual financial report.]
  - **Draft:** In general, wastewater costs and revenues will be captured in the annual budgets of both the Town and City. Also, the City will be provided the ability to audit the Town's financial records related to the collection of monthly treatment fees. Therefore, no separate annual financial report is needed.

**11. O&M of Facilities.** The Town will construct the export pipeline and a termination structure at or near the Chico WPCP. The Town would own the export pipeline. The POA would need to address who is responsible for O&M and future repairs/replacements of the export pipeline and termination structure at the Chico WPCP.

- **DRAFT:** It is anticipated that the Town will own the entire export pipeline and will provide all operation and maintenance associated with it, with the exception of wastewater monitoring efforts, which are described in item 6 above.
- [It may work best to develop a separate "O&M Agreement" to cover all of the various items related to operating costs.]

- **Draft:** The City and Town intend to develop an inter-municipal agreement based on these Principals of Agreement. In the future, if O&M items arise and warrant it, the two parties may wish to develop an O&M Agreement. For example, one item that might arise is that the Town might wish to contract with the City to provide some O&M services on the export pipeline, given that the City has on-staff expertise in this area.

12. **Term and Termination of the Agreement.** [Need to develop the term and termination of the agreement. The term of the agreement should match any financing requirements and/or the lifespan of the infrastructure. Also need to address how to handle disaster scenarios. This item might need input from Town and City attorneys, in order to draft appropriate POA language.]

13. **“Revisit” Clause.** [Need to develop a statement that allows for an evolution of the roles and responsibilities established in this document. For example, in the future, if the Town grows to a size that it makes sense for it to create and run its own pretreatment program, the document should allow for that to happen. This item will need input from Town and City attorneys.]

**[ADDITIONAL ITEMS 14, 15, and 16 came from “Crafting Interlocal Water and Wastewater Agreements,” UNC Environmental Finance Center, 2019. Text in quotes is taken from that document]**

14. **Service Area Boundary.** “When two or more service providers agree to buy or sell water services to one another, it is extremely important to remove as much ambiguity as possible about current and future service areas.” Identify the service area boundary as the Town of Paradise town limits. The Sphere of Influence and Town/City limits may change...

- **Draft:** This item relates to the potential for the two entities to have adjacent or overlapping service area boundaries. The Town of Paradise and the City of Chico will not overlap with respect to providing wastewater services. In the future, spheres of influence could overlap (although this is extremely unlikely). If that situation arises, it should be addressed at that time. [Ask the attorneys for their input, including if language should be included on this subject in the inter-municipal agreement.]

15. **Notice Requirements for Fee Changes.** “The contract should also include language to cover notice requirements or any other processes related to when and how rates will be changed. If there will be a process for modifying rates in the future, the parties should contemplate what shall constitute reasons to justify modification.”

- **Draft:** In California, formal notification to citizens regarding fee increases is covered by Prop 218. If the City is considering a fee update, City staff will inform the Town Council of an upcoming fee adjustment process.



16. **Excessive Inflow and Infiltration.** “Inflow and infiltration (I&I) can be a big problem for wastewater interlocal agreements. If possible, partners should consider how to contract in language that will address how I&I should be handled.”

- **Draft:** Because the Town’s collection system and export pipeline will be entirely new, the initial amount of I&I should be very low. Over time, it is possible I&I will increase. The Town of Paradise will monitor its wet weather flows each year and assess the level of I&I it is experiencing. If excessive I&I is seen, the Town will complete such corrective measures to eliminate excessive I&I as are reasonably demonstrated to be cost effective by studies conducted and funded by the Town. [Perhaps move this item up to Section 11--O&M of Facilities]

17. **Resolving Conflicts or Disagreements.** [“Regardless of how carefully an interlocal agreement may be contracted, there can still be conflict or disagreement, particularly when unanticipated needs or challenges arise. Parties to an agreement should anticipate the need to potentially negotiate at some point during the life of the agreement, and should build in language that lays out what process should be used.” This item will need input from Town and City attorneys.]

- [Note from Staff: The City of Folsom/SRCSD contract has extensive sample language for this item, which the attorneys can use if they wish to.]



## City of Chico, Code Section 15.40.285

The City of Chico has a provision in its municipal code, Section 15.40.285—Regulation of Waste Received from Other Jurisdictions, that specifically addresses handling wastewater from outside the city's sanitary sewer system. Here is the code section in its entirety:

### **15.40.285 Regulation of Waste Received from Other Jurisdictions**

*If another municipality or user located within another municipality contributes wastewater to the city's sanitary sewer system, the director shall enter into an inter-municipal agreement with the contributing municipality. Prior to entering into an agreement, the director shall request the following information from the contributing municipality:*

- 1. A description of the quality and volume of wastewater discharged to the city's sanitary sewer system by the contributing municipality;*
- 2. An inventory of all users located within the contributing municipality that are discharging to the city's sanitary sewer system; and*
- 3. Such other information as the director may deem necessary.*

*An inter-municipal agreement shall contain the following conditions:*

- 1. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this ordinance and local limits, including required baseline monitoring reports which are at least as stringent as those set out in section [15.40.024](#). The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to the city's ordinance or local limits;*
- 2. A requirement for the contributing municipality to submit a revised user inventory on at least an annual basis;*
- 3. A provision specifying which pretreatment implementation activities, including wastewater discharge permit issuance, inspection and sampling, enforcement, will be conducted by the contributing municipality; which of these activities will be conducted by the director; and which of these activities will be conducted jointly by the contributing municipality and the director;*
- 4. A requirement for the contributing municipality to provide the director with access to all information that the contributing municipality obtains as part of its pretreatment activities;*
- 5. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the city's sanitary sewer system;*
- 6. Requirements for monitoring the contributing municipality's discharge;*
- 7. A provision ensuring the director access to the facilities of the users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and other duties deemed necessary by the director; and*
- 8. A provision specifying the remedies available for breach of the terms of the inter-municipal agreement.*



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 6(d)**

**ORIGINATED BY:** Marc Mattox, Public Works Director/Town Engineer  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** 2022 Storm Drain Master Plan  
**LONG TERM RECOVERY PLAN:** Yes, Tier 1 – Multiple

**Council Action Requested:**

Consider approving the 2022 Storm Drain Master Plan prepared by Wood Rodgers, including deliverables of the Town-wide Master Drainage Study, field evaluation and monitoring of storm drain systems and drainageways, Flood Risk Modeling, field condition assessment, data computation, project prioritization criteria, updating and expanding flood risk modeling for 10 and 100-year storm events (Special Permit Zones), the evaluation of drainage system condition and capacity deficiencies, and a prioritized project list and costs. (ROLL CALL VOTE)

**Background:**

Funded by a FEMA Hazard Mitigation Grant Program (HMGP) unit grant, the Town of Paradise (Town) has developed the 2022 Storm Drain Master Plan (SDMP).

Underway since 2020, the Storm Drain Master Plan is a comprehensive effort to evaluate storm drain needs within the Town and develop recommendations to support recovery following the 2018 Camp Fire. The SDMP includes extensive modeling and replaces the 1980 Master Storm Drain Study and Facilities Plan (MSDFP). The SDMP will be utilized by Town staff, residents, and commercial businesses to evaluate, plan, and install required storm drain replacements, perform storm drain studies, and evaluate the flood risk of flooding for each property.

The comprehensive SDMP is comprised of the analysis, results, tools, projects, and reports developed through the HMGP grant, that will be used to guide the Town's recovery related to storm drain runoff and storm drain infrastructure upgrades. The SDMP recommends storm drain improvement projects and strategies consistent with the Town of Paradise Long Term Community Recovery Plan (LTCRP) and those recommendations will be incorporated into the ongoing LTCRP update.

**Analysis:**

The 2022 Storm Drain Master Plan (SDMP) is a replacement of the Town's 1980 Master Storm Drainage Study and Facilities Plan (MSDFP) including updated post fire modelling and analysis, project recommendations, and includes the following components:

1. Drainage System Base Map
2. Condition Assessment
3. Existing Deficiency Identification & Remedies
4. Future Development Considerations
5. Capital Improvement Plan (list of projects) and cost estimates
6. 2022 SDMP comprehensive Document including figures, exhibits, charts, reference data, modelling scenarios and a full GIS database to be used by the Town for modelling updates, to provide site specific outputs and flood risk data evaluation, and a user interface for review of the SDMP model and its inputs.

**Data Collection & Review:**

The Storm Drain Master Plan (SDMP) evaluated the condition of the Town's storm drain pipes that compose the Town's drainage system, including culverts, box culverts, drainage channels and other storm drain features, disposition of each parcel (structure or no structure). This evaluation was done based on updated field evaluations and:

1. LiDAR Topographic Data (USGS Wildfires\_CampFire\_2018)
2. Aerial Imagery
3. USDA NRCS SCS Soil Data (Including Hydrologic Soil Group and Saturated Hydraulic Conductivity)
4. National Land Cover Database (NLCD) ground cover and imperviousness
5. Building footprints (pre-fire) from <https://github.com/Microsoft/USBuildingFootprints>
6. Master Storm Drainage Study and Facilities Plan
7. NOAA Atlas 14 Precipitation Frequency Data
8. Stormwater Post-Construction Standards Plan
9. Local Ordinances
10. Storm Drainage System Mapping (GIS, CAD)
11. Record Drawings
12. Land Development Project Drainage Studies
13. Annual Maintenance and Costs

As the last stormwater analysis was completed in 1979 (1980 MSDFP), the Town did not have a comprehensive account of the physical condition of the underground storm drain pipe and storm drain inlets and drainage structures. Updated information was needed to make informed strategic decisions to effectively reduce flooding risks and protect public safety, property, and infrastructure, and to plan for rebuilding based on post fire site disposition.

The effects of the Camp Fire on the stormwater drainage of the entire Town were previously not accounted for in a comprehensive drainage model. The impact of post-Fire runoff due to increased erosion on the performance of nearly 1,000 drainage inlets needed to be studied, including re-development based on zoning in each of the parcels that contributes to the local drainage ways. An evaluation of the existing system coupled with a hydraulic and hydrology analysis of runoff impacts post fire was performed.

**Field Investigation:**

Field evaluation and modeling effort was conducted for use in developing the 2022 SDMP which accounts for the impacts of the Camp Fire and will help to alleviate risks of flooding and erosion in future events by identifying deficiencies, projects to improve drainage, and guidelines for future drainage studies as the Town is rebuilt. These deficiencies were included in the field investigation for use in modelling and developing this list.

The primary objective was to provide a in person examination of the storm drain deficiencies and flood risks within the Town limits to develop actions necessary to accomplish appropriate levels of service for storm drain systems as to appropriately manage flood risks. This included:

- Conversion of CAD-based storm drain maps to geographic information systems (GIS) data
- Collection of field data to build an existing conditions model of the storm drainage network
- Hydraulic models for the major drainage ways
- Assessment of the performance of existing storm drainage systems
- Identification of capital improvements to reduce flood risk
- Prioritization of capital improvements for risk reduction and cost benefit
- Establishment of a prioritized project improvement list for the storm drainage system

**Condition Assessment:**

Storm Drain condition identification: The Town identified the areas of known storm drain issues or ponding within the Town's drainage system, for further field study and investigation.

1. Field condition assessment:
  - a. Visual inspection of identified storm drain problem areas (as reported by the Town or other sources)
  - b. Data computation: Updated and additional flood risk modeling for 10- and 100-year storm events
  - c. Conducted evaluation of drainage system condition and capacity deficiencies
  - d. Evaluation of drainage system condition and capacity deficiencies including identifying additional measures to be taken, such as the following:
    - i. Improvements to water flow hydraulics and to minimize erosion and scour.

- ii. Identification of a debris barrier to prevent debris blockage.
- iii. Installation of a debris barrier riser to allow debris to float up with the rising floodwaters without blocking water flow.

The Condition Assessment was utilized in development of issue ranking and prioritization criteria and the creation of the SDMP report to determine most beneficial actions to implement.

#### **Drainage System Map:**

The 2022 SDMP includes a Town wide comprehensive Drainage System Map and watershed areas, locations, sizes and slopes of all storm drain pipes inventoried, and a corresponding GIS database for use in modelling proposed storm drain improvements, rebuilds, and to obtain and output model data, including flood risk data evaluation, site parameters (slope, imperviousness, drainage run on, waterbody the site drains to, adjacent storm drain infrastructure) and a GIS user interface, which can be updated as the Town is rebuilt. This information is used to develop Hydraulic Modeling (Existing and proposed):

- Hydrologic and Hydraulic modeling analysis (to include post-wildfire erosion and runoff considerations) for 10- and 100-year storm events.
- Evaluation of codes or standards that should be established for the stormwater drainage system (e.g., 5, 10, 25, 50, 100-year flood event).
- Field condition assessment of the Town's existing storm drain infrastructure.
- A representative evaluation of the Town's Stormwater Drainage Infrastructure to determine areas of needed improvements and prioritized.
- Development of issue ranking and project prioritization criteria to inform the Town how best to allocate resources to the greatest effect and the most needed system improvements.

#### **Identification of Existing Deficiencies and Remedies:**

The SDMP performed a master drainage study for the Town utilizing the following methods: comprehensive analysis of applicable hydrologic models, field condition assessment, data computation, development of issue ranking and project prioritization criteria, updating and expanding flood risk modeling for 10 and 100-year storm events, and the evaluation of drainage system condition and capacity deficiencies. Such modeling was used to support a more rigorous, risk-based approach to identifying and developing mitigation projects that are customized to the current needs of the Town.

This SDMP effort established a project improvement list aimed at reducing the risk of flooding within the Town. The assessment identified storm drain system improvement projects to prolong the life of existing infrastructure and provide a 10-year (10% annual exceedance) storm capacity throughout the Town, and 100-year (1% annual exceedance) storm capacity at facilities identified as critical in the event of emergency.

The flood risk modeling for high-frequency storms is particularly important to the Town as it recovers from the fires and begins to update and re-evaluate its flood mitigation strategies after the Fire. The Town is subject to localized flooding predominately related to stormwater. The entire Town is located outside both the 1% and 0.2% annual chance flood zone as defined by the Federal Emergency Management Agency, but experiences flooding that has been identified in the 1980 MSDFP as “Special Permit Zones (SPZs).” The limits of the SPZs were revised based on the modelling performed within the SDMP, including carrying forward the previously flagged “Flood Prone Structures” for further evaluation upon development or re-development.

Based on SDMP study and list of projects that can mitigate existing storm drain capacity issues, the Town of Paradise will develop mitigation strategies and projects based on the findings on storm drain systems condition and capacity deficiencies. The Town will development a maintenance plan to executed successfully and the plan will bring long-term benefits to the community.

### **Environmental Analysis:**

The Town of Paradise 2022 Storm Drain Master Plan is considered exempt from CEQA pursuant to Public Resources Code 21080(b)(3) Projects undertaken, carried out, or approved by a public agency to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code. Projects identified in the Storm Drain Master Plan will be evaluated for CEQA requirements on a project-by-project basis as the projects are identified, funded and planned for implementation.

### **Financial Impact:**

Various financial impacts are associated with the recommended actions. Staff will continue to seek grant funding to assist with capital project development and improvements.



**Town of Paradise**  
**Council Agenda Attachment**  
**Date: June 14, 2022**

**Agenda Item: 6(d)**

**The Storm Drain Master Plan may be viewed by visiting the link copied below:**

<https://bit.ly/3trfPEB>

**A physical printed copy is also available for public viewing at Town Hall, Clerk's Office at  
5555 Skyway, Paradise.**



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 6(e)**

**ORIGINATED BY:** Marc Mattox, Public Works Director  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Stearns Rd Dry Creek Culvert Emergency  
**LONG TERM RECOVERY PLAN:** N/A

**COUNCIL ACTION REQUESTED:**

- a) Consider adopting the attached Resolution No. 2022- \_\_\_\_, "A Resolution of the Town Council of the Town of Paradise Declaring An Emergency And Authorizing Repair or Replacement of The Stearns Road 72" Culvert Without Observance Of Public Bidding Requirements"; and
- b) Authorize the Town Manager to execute agreements for a contractor and/or materials for the subject project. (ROLL CALL VOTE)

**Background:**

During the course of normal work, the Public Works Department discovered a pothole along Stearns Road in the vicinity of the Dry Creek drainage. Upon further inspection, the pothole was in fact a void in the roadway caused by erosion associated with a failed culvert. The culvert in question is approximately 72" in diameter and is of corrugated metal pipe material. The pipe itself has rusted significantly, exposing bare earth along the flowline. This degradation altered the flow of water and began undermining the roadway surface until the void was discovered. As a result of this condition, Public Works immediately put in place a roadway closure to ensure regular or emergency traffic does not drive over the comprised roadway, causing further failure and/or injury.

A location map and photos of the existing conditions are attached to this Agenda Summary.

**Analysis:**

Staff is recommending Council declare an emergency to repair or replace culvert and make repairs to the roadway. This declaration is critical to shorten the amount of time whereas an emergency evacuation route is unavailable as the Town enters the 2022 fire season. Repairing and restoring the existing roadway is necessary to potentially protect life and property should an emergency occur, or an evacuation be required. Using this action, staff can forgo the formal design, competitive bidding, and construction process which would take more than five months.



**Financial Impact:**

The cost of the repairs and replacements is to be determined. Staff will be working with various engineers and contractors in advance of the Council meeting and will provide more information on expected costs during this agenda item consideration.

**Environmental Review:**

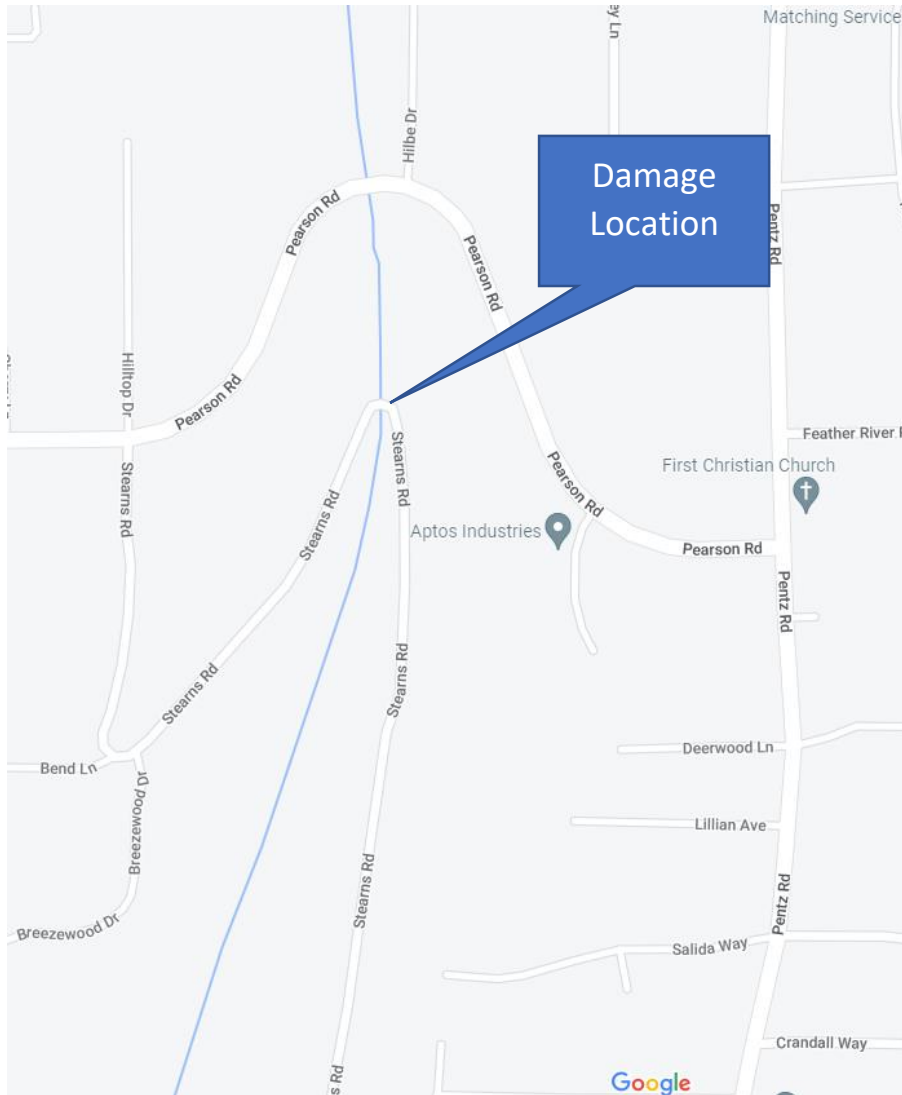
The project is exempt under State CEQA Guidelines [15269(b)(c)], which states:

15269. EMERGENCY PROJECTS The following emergency projects are exempt from the requirements of CEQA.

The following emergency projects are exempt from the requirements of CEQA.

(b) Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety or welfare. Emergency repairs include those that require a reasonable amount of planning to address an anticipated emergency.

(c) Specific actions necessary to prevent or mitigate an emergency. This does not include longterm projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.



*Figure 1 - Stearns Road Void Caused by Erosion Upon Discovery*



*Figure 2 - Stearns Road Void Existing Condition (Logs for Closure)*





*Figure 3 - Rusted Flowline Causing Erosive Void*

**TOWN OF PARADISE  
RESOLUTION NO. 2022-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PARADISE  
DECLARING AN EMERGENCY AND AUTHORIZING REPAIR OR  
REPLACEMENT OF THE STEARNS ROAD 72" CULVERT WITHOUT OBSERVANCE OF  
PUBLIC BIDDING REQUIREMENTS.**

**WHEREAS**, recent aging and degradation of a Dry Creek 72" culvert pipe crossing Stearns Road has caused structural failures to the roadway; and,

**WHEREAS**, as the Town enters the 2022 fire season, this damage has caused Stearns Road to be closed at this location due to the potential for roadway collapse from normal or emergency evacuation traffic; and,

**WHEREAS**, based on the staff report attached hereto, the damage to the culvert and roadway must be replaced, or mitigated immediately to prevent a lapse in emergency evacuation capacity to the general public; and,

**WHEREAS**, to protect the health and safety of the public, the Town must take swift action to immediately replace the Stearns Road culvert and make roadway repairs accordingly.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARADISE** as follows:

**Section 1.** The above statements are true and correct.

**Section 2.** The above facts constitute an emergency situation.

**Section 3.** Based upon California Public Contract Code sections 20168 and 22050 and the above facts, the Council finds that competitive solicitation for material bids to replace the culvert would result in delaying the reopening of the roadway. Any delays further increase the potential for Stearns Road to be needed during an emergency evacuation while it is indefinitely closed.

**Section 4.** The Town Manager is authorized to execute contracts, make purchases with contractors and suppliers to replace the culvert in accordance with the Town's guidelines and to take whatever actions are necessary to implement this resolution.

**Section 3.** The Stearns Road Culvert Repair Project is exempt from the provisions of the California Environmental Quality Act pursuant to State CEQA Guidelines [15269(b)(c)] Emergency Projects.

**PASSED AND ADOPTED** by the Paradise Town Council of the Town of Paradise, County of Butte, State of California, on this 14<sup>th</sup> day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

\_\_\_\_\_  
STEVE CROWDER, Mayor

ATTEST:

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DINA VOLENSKI, Acting Town Clerk

APPROVED AS TO FORM:

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SCOTT HUBER, Town Attorney



**Town of Paradise**  
**Council Agenda Summary**  
**Date: June 14, 2022**

**Agenda Item: 6(f)**

**ORIGINATED BY:** Jessica Erdahl, Sr. Capital Projects Manager  
**REVIEWED BY:** Kevin Phillips, Town Manager  
**SUBJECT:** Award Construction Contract – On-System Roadway Rehabilitation – Skyway (Phase 1)  
**LONG TERM RECOVERY PLAN:** Yes, Tier 1, Evacuation Routes

**COUNCIL ACTION REQUESTED:**

1. Consider adopting Resolution No. 2022-\_\_\_\_, “A resolution of the Town Council of the Town of Paradise Awarding Contract No. 7303.21.CON, On-System Roadway Rehabilitation –Skyway (Phase 1) to Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1.
2. Authorize the Town Manager to execute an agreement with Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1 relating to Contract No. 7303.1.CON and to approve contingency expenditures not exceeding 10%. (ROLL CALL VOTE)

**Background:**

Due to the ongoing recovery effort and debris removal operations within the Town and Butte County, the Town’s on-system roadway infrastructure sustained heavy damage in the wake of the Camp Fire. The pavement structural sections were damaged in two ways:

1. Pavement Scarring due to Car Fires – On the day of the Camp Fire, several motorists were required to abandon their vehicles and continue evacuating on foot. The subsequent car fires damaged the pavement, justifying the need for repair.
2. Pavement Structural Section Damage due to Heavy Truck Traffic – Following the Camp Fire, the Town has experienced a staggering level of truck traffic. During the CALOES Debris Removal effort, over 3.7 million tons of material was removed, equivalent to approximately 300,000 truckloads. During that same period, PG&E, Comcast, and AT&T have restored the distribution infrastructure. PG&E has already removed over 92,000 trees, and an additional 100,000 trees are estimated for removal in 2020. The volume of trucks using the Town’s on-system roads has resulted in damage to the pavement structural section, justifying the need for rehabilitation.

The Town coordinated with Caltrans and Federal Highways Administration (FHWA) to secure Emergency Relief permanent restoration funding to repair damaged on-system roads town wide. Through the Emergency Relief Program, the Town of Paradise has been approved for \$55,439,200 for the on-system road rehabilitation project. The approved project is located on Federal-Aid “On-System” roads – meaning the Town’s primary collectors and arterials such as Skyway, Clark, Pearson, Elliott, Bille, Wagstaff, and Pentz Roads, etc.

On November 10, 2020, Paradise Town Council awarded master on-call contracts to Mark Thomas, Dokken Engineering, GHD, Inc., Wood Rodgers, Inc. and Dewberry Drake Haglan to

perform on-call professional civil engineering services for a variety of local, state, and federally funded projects. Subsequently, in January 2021, task orders were issued to Mark Thomas, Dokken Engineering, and Wood Rodgers, Inc. to perform civil design services on the on-system road rehabilitation project. The overall scope of work for the Project can be summarized as follows:

- Repair Camp Fire damaged on-system roads to achieve a pre-fire condition.

Road rehabilitation projects will be identified based on utility undergrounding completion. As segments of utilities are nearing completion, the Town of Paradise will identify and bid specific segments of roadways as individual projects. The goal of this approach is to maximize efficiency, partnership and remain good stewards of precious public funds and community impacts by reducing excavations into recently rehabilitated roadways.

On March 8, 2022 Paradise Town Council adopted a resolution approving the Plans & Specifications for the On-System Roadway Rehabilitation project. Council further directed staff to advertise for bids on the Phase 1 Project – Skyway: Crossroads to north of Center Street.

A vicinity map of the Skyway (Phase 1) project limits is provided in this Agenda Summary.

#### **Analysis:**

On May 25, 2022, 4 bids were received by the Town Clerk and publicly opened. A list of bids received are shown in the table below:

| <b>Bid No.</b> | <b>Bidder's Name</b>   | <b>Base Bid \$</b>    | <b>Additive #1</b> | <b>Base + Additive #1</b> |
|----------------|--|-----------------------|--------------------|---------------------------|
| 1              | Baldwin Contracting Company, Inc. dba Knife River Construction | \$4,906,864.78        | \$163,000.00       | \$5,069,864.78            |
| 2              | All-American Construction, Inc.                                | \$5,345,245.60        | \$175,000.00       | \$5,520,245.60            |
| 3              | A&E Construction   | \$5,469,426.00        | \$155,000.00       | \$5,624,426.00            |
| 4              | Teichert Construction  | \$6,157,083.00        | \$171,500.00       | \$6,328,583.00            |
| <b>X</b>       | <b>Engineer's Estimate</b>                                     | <b>\$6,790,000.00</b> | <b>N/A</b>         | <b>N/A</b>                |

Per the contract specifications, the award of the contract, if it be awarded, will be to the lowest responsible, responsive bidder based upon the base bid and any additive bid items chosen by the Town, whose bid complies with all the requirements prescribed.

Staff is recommending award of Contract No.7303.1, On-System Roadway Rehabilitation – Skyway (Phase 1) to Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1, \$5,069,864.78. Additive Bid #1 shifts all contract work to night work between the hours of 7pm and 7am in consideration of cumulative construction activities in Paradise and fire season concerns relating to temporary traffic controls along a major corridor.

With this award recommendation, a few contextual notes must be documented:

- The project limits were identified first due to the fact that the undergrounding was largely complete pre-fire, with remaining section finishing just before the project commences.
- Paradise Irrigation District has committed to installing as many replacement water service lines as possible in advance of construction by the Town, however, future cut-ins are only planned as rebuild activity takes place. Water service main replacements have been confirmed as not necessary.
- The Town of Paradise is working concurrently to advance the Paradise Sewer Project. If



the project does advance forward beyond environmental review, the project could begin construction as early as 2024. This project would include major construction trenching for mainlines and service laterals. However, road rehabilitation following sewer installation would be planned to restore the overall roadway surface to back to preconstruction conditions as much as feasible through proper trench restoration and follow-up road treatment options such as overlay or road sealing. Staff recommends proceeding with the Skyway paving work to ensure progress is made in the Camp Fire recovery relating to roadways. Federal funds for recovery contain strict delivery requirements. It is prudent to proceed with this project due to the fact that the Sewer Project is not a certainty at this time and may take longer to commence construction, if actually approved. The alternative of waiting until after the sewer is installed could jeopardize roadway recovery funding for a project which may not occur. As 2023 paving projects are developed, the Sewer Service Area could be avoided further should the project advance beyond the Environmental Impact Report.

#### **Financial Impact:**

FHWA Emergency Relief funds have been authorized as Advance Construction (AC) for the construction and construction engineering phases. Advance Construction is a project authorization technique that allows FHWA to authorize a project phase without obligating Federal funds. Projects authorized under Advance Construction procedures will not receive federal reimbursement until Federal funds become available and are obligated on a subsequent sequence. Further, utility adjustments are a non-participating cost to be reimbursed per executed utility agreements with Paradise Irrigation District and AT&T. The Town will use local funds to perform the construction and construction engineering phases for future federal and utility reimbursement. Emergency Relief AC funding is typically obligated as federal funds within 6 months following federal authorization to proceed.

The total estimated construction and construction engineering cost for the project is \$5,519,864.78.

#### **On-System Roadway Rehabilitation Project – Skyway Funding Summary**

| <b>Contract Items</b>      | <b>Total<br/>Estimated Cost</b> | <b>Total<br/>Participating<br/>Cost</b> | <b>Emergency<br/>Relief (AC)<br/>75.25 %</b> | <b>Local Match<br/>24.75%</b> | <b>Non-<br/>Participating<br/>(Utility<br/>Adjustments)</b> |
|----------------------------|---------------------------------|---|--|-------------------------------|---|
| Base Bid + Additive Bid #1 | \$ 5,069,864.78                 | \$ 4,911,351.86                         | \$ 3,695,792.27                              | \$ 1,215,559.59               | \$ 158,512.92   |
| Construction Management    | \$ 450,000.00                   | \$ 450,000.00                           | \$ 338,625.00                                | \$ 111,375.00                 | \$ -  |
| <b>Total</b>               | <b>\$ 5,519,864.78</b>          | <b>\$ 5,361,351.86</b>                  | <b>\$ 4,034,417.27</b>                       | <b>\$ 1,326,934.59</b>        | <b>\$ 158,512.92</b>  |
| Total Available Funding    | \$ 52,934,200.00                | \$ 51,935,200.00                        | \$39,081,238.00                              | \$ 12,853,962.00              | \$ 999,000.00   |
| <b>Balance</b>             | <b>\$ 47,414,335.22</b>         | <b>\$ 46,573,848.14</b>                 | <b>\$35,046,820.73</b>                       | <b>\$ 11,527,027.41</b>       | <b>\$ 840,487.08</b>  |

Required matching funds, \$1,326,934.59 (24.75%), are anticipated to be awarded through the Community Development Block Grant-Disaster Recovery (CDBG-DR) fund allocation process. However, if CDBG-DR funds are not ultimately realized, the Town will be required to fund the local matching portion of the project costs through other sources, such as future reserves.

#### **Attachments:**

- A. Draft Contract No.7303.1.CON
- B. Resolution
- C. Skyway (Phase 1) Project Map

**TOWN OF PARADISE  
RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
PARADISE AWARDDING Construction CONTRACT NO. 7303.1 CON  
FOR THE ON-SYSTEM ROADWAY REHABILITATION PROJECT –  
SKYWAY (PHASE 1)**

**WHEREAS,** on-system roads sustained damage as a result of the Camp Fire;  
and,

**WHEREAS,** the Town of Paradise has received a \$55,439,200 allocation of  
Federal Highway Administration Emergency Relief Program funds; and,

**WHEREAS,** the purpose of the Emergency Relief Program is Repair or  
reconstruction of Federal-aid highways and roads (“On-System”) which have suffered  
serious damage as a result of natural disasters.

**WHEREAS,** eligible repairs may include, but are not limited to, damage  
occurring to pavement or other surface courses, shoulders, embankments, cut slopes,  
roadside development, and stream channels, whether man-made or natural. Pavement  
repairs or reconstruction may also include rock slope protection, cribbing, or other stream  
bank control features, bridges, retaining walls, culverts and debris removal, including other  
deposits from roadway drainage channels and the traveled way.

**WHEREAS,** the On-System Road Rehabilitation Project – Skyway (Phase1 ) is  
consistent in scope with the approved emergency relief funds: and,

**WHEREAS,** the On-System Road Rehabilitation Project – Skyway (Phase1 ) is  
consistent with priorities identified in the Paradise Long-Term Recovery Plan prepared in  
response to the 2018 Camp Fire.

**WHEREAS,** the Town Council approved the Plans, Specification and Estimates  
and authorized advertisement for bids on the On-System Road Rehabilitation Project –  
Skyway (Phase1 ) on the 8th day of March 2022.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE  
TOWN OF PARADISE AS FOLLOWS:**

**Section 1.** The Town Manager is authorized to award and execute the construction  
contract to Baldwin Contracting Company, Inc. dba Knife River Construction in the amount  
of their **base bid plus additive bid #1.** for the On-System Roadway Rehabilitation Project  
and approve contingency expenditures not exceeding 10%.

PASSED AND ADOPTED by the Town Council of the Town of Paradise on this  
14th day of June 2022, by the following vote:

AYES:

NOES:  
ABSENT:  
ABSTAIN:

By: \_\_\_\_\_  
Steve Crowder, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Scott E. Huber, Town Attorney

# Owner-Contractor Agreement

**On-System Roadway Rehabilitation  
Skyway  
Federal Project No. ER38YO (012).1  
Contract No. 7303.1 CON**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2022, in triplicate, between the Town of Paradise ("Town"), and Baldwin Contracting Company, Inc. dba Knife River Construction, ("Contractor").

**ARTICLE I. – WITNESSETH,** That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the Town, and under the conditions expressed in the two (2) bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees, at Contractor's own proper cost and expense, to do all the project work and furnish all the materials, except such as are mentioned in the specifications to be furnished by the Town, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the Town, the project work described in the special provisions and the project plans described below, including any addenda thereto, and also in conformance with the California Department of Transportation Standard Plans, dated 2018, the Standard Specifications, dated 2018 (within the Caltrans Standard Specifications, the word "Department" shall mean the "Town") and the Labor Surcharge and Equipment Rental Rates in effect on the date the project work is accomplished, which the special provisions, project plans, Standard Plans, Standard Specifications, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The Notice to Bidders, Special Provisions, Bid Documents, and Contract Forms included in this Agreement are dated **April 27, 2022** and are entitled:

Bid Book for the project work are dated April 27, 2022 and are entitled:

**On-System Roadway Rehabilitation  
Skyway  
Federal Project No. ER38YO (012).1  
Contract No. 7303.1 CON**

The Project Plans for the project work are dated April 22, 2022 and are entitled:

**On-System Roadway Rehabilitation  
Skyway  
Federal Project No. ER38YO (012).1  
Contract No. 7303.1 CON**

Which are hereby made part of this Agreement.

**ARTICLE II. –** The Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the project work contemplated and embraced in this Agreement; also for all loss or damage arising out of the nature of the project work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the project work until its acceptance by the Town of Paradise and for all risks of every description connected with the project work; also for all expenses incurred by or in consequence of the suspension or discontinuance of project work and for well and faithfully completing the project work, and the whole thereof, in the manner and according to the plans and specifications and the requirements of the Engineer under them, to wit:

**Contract Bid Items**  
**On-System Roadway Rehabilitation**  
**Skyway**  
**Federal Project No. ER38YO (012).1**  
**Contract No. 7303.1 CON**

| Bid Item | Item Description                              | Unit of Measure | Estimated Quantity | Unit Price    | Total Amount    |
|----------|---|-----------------|--------------------|---------------|-----------------|
| 1        | LEAD COMPLIANCE PLAN                          | LS              | 1                  | \$ 1,500.00   | \$ 1,500.00     |
| 2        | TRAFFIC CONTROL SYSTEM                        | LS              | 1                  | \$ 255,000.00 | \$ 255,000.00   |
| 3        | PORTABLE CHANGEABLE MESSAGE SIGN              | EA              | 4                  | \$ 4,500.00   | \$ 18,000.00    |
| 4        | JOB SITE MANAGEMENT                           | LS              | 1                  | \$ 4,000.00   | \$ 4,000.00     |
| 5        | PREPARE STORM WATER POLLUTION PREVENTION PLAN | LS              | 1                  | \$ 3,500.00   | \$ 3,500.00     |
| 6        | STREET SWEEPING                               | LS              | 1                  | \$ 43,000.00  | \$ 43,000.00    |
| 7        | CLEARING AND GRUBBING                         | LS              | 1                  | \$ 10,000.00  | \$ 10,000.00    |
| 8        | ROADWAY EXCAVATION                            | CY              | 262                | \$ 400.00     | \$ 104,800.00   |
| 9        | SHOULDER BACKING                              | TON             | 121                | \$ 150.00     | \$ 18,150.00    |
| 10       | CLASS 2 AGGREGATE BASE                        | CY              | 296                | \$ 280.00     | \$ 82,880.00    |
| 11       | FULL-DEPTH RECLAMATION-CEMENT                 | SQYD            | 46,229             | \$ 10.40      | \$ 480,781.60   |
| 12       | CEMENT (FULL-DEPTH RECLAMATION-CEMENT)        | TON             | 1,477              | \$ 218.50     | \$ 322,724.50   |
| 13       | MIX DESIGN (FULL-DEPTH RECLAMATION-CEMENT)    | LS              | 1                  | \$ 10,000.00  | \$ 10,000.00    |
| 14       | HOT MIX ASPHALT (TYPE A)                      | TON             | 19,700             | \$ 114.00     | \$ 2,245,800.00 |
| 15       | PLACE HOT MIX ASPHALT DIKE (TYPE A)           | LF              | 993                | \$ 3.00       | \$ 2,979.00     |
| 16       | PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)    | SQYD            | 1,074              | \$ 35.53      | \$ 38,159.22    |
| 17       | COLD PLANE ASPHALT CONCRETE PAVEMENT          | SQYD            | 60,681             | \$ 3.75       | \$ 227,553.75   |
| 18       | REMOVE ASPHALT CONCRETE DIKE                  | LF              | 993                | \$ 5.97       | \$ 5,928.21     |
| 19       | ADJUST INLET                                  | EA              | 1                  | \$ 2,000.00   | \$ 2,000.00     |
| 20       | MINOR CONCRETE (CROSS GUTTER)                 | CY              | 10                 | \$ 1,100.00   | \$ 11,000.00    |
| 21       | MINOR CONCRETE (CURB AND GUTTER)              | CY              | 52                 | \$ 770.00     | \$ 40,040.00    |
| 22       | MINOR CONCRETE (SIDEWALK)                     | CY              | 23                 | \$ 1,310.00   | \$ 30,130.00    |
| 23       | MINOR CONCRETE (CURB RAMP)                    | CY              | 27                 | \$ 1,755.00   | \$ 47,385.00    |

| Bid Item                       | Item Description                                   | Unit of Measure | Estimated Quantity | Unit Price    | Total Amount          |
|--------------------------------|--|-----------------|--------------------|---------------|-----------------------|
| 24                             | REMOVE CONCRETE                                    | CY              | 168                | \$ 350.00     | \$ 58,800.00          |
| 25                             | DETECTABLE WARNING SURFACE                         | SF              | 266                | \$ 20.00      | \$ 5,320.00           |
| 26                             | ADJUST ACCESS BOX FRAME AND COVER (UTILITY)        | EA              | 4                  | \$ 2,500.00   | \$ 10,000.00          |
| 27                             | ADJUST MANHOLE FRAME AND COVER (UTILITY)           | EA              | 7                  | \$ 3,000.00   | \$ 21,000.00          |
| 28                             | ADJUST MANHOLE FRAME AND COVER (STORM DRAIN)       | EA              | 14                 | \$ 1,500.00   | \$ 21,000.00          |
| 29                             | REMOVE AND REPLACE MONUMENT                        | EA              | 17                 | \$ 2,500.00   | \$ 42,500.00          |
| 30                             | LOWER AND RAISE FRAME AND COVER (UTILITY)          | EA              | 92                 | \$ 1,700.00   | \$ 156,400.00         |
| 31                             | THERMOPLASTIC PAVEMENT MARKING                     | SF              | 10,022             | \$ 5.75       | \$ 57,626.50          |
| 32                             | 6" THERMOPLASTIC TRAFFIC STRIPE                    | LF              | 82,362             | \$ 0.75       | \$ 61,771.50          |
| 33                             | POTHOLE (HIGH PRIORITY UTILITIES)                  | EA              | 31                 | \$ 1,500.00   | \$ 46,500.00          |
| 34                             | MODIFYING SIGNAL AND LIGHTING @ SKYWAY/NEAL RD     | LS              | 1                  | \$ 70,000.00  | \$ 70,000.00          |
| 35                             | MODIFYING SIGNAL AND LIGHTING @ SKYWAY/BLACK OLIVE | LS              | 1                  | \$ 42,000.00  | \$ 42,000.00          |
| 36                             | MODIFYING SIGNAL AND LIGHTING @ SKYWAY/PEARSON RD  | LS              | 1                  | \$ 60,000.00  | \$ 60,000.00          |
| 37                             | MODIFYING SIGNAL AND LIGHTING @ SKYWAY/ELLIOTT RD  | LS              | 1                  | \$ 105,000.00 | \$ 105,000.00         |
| 38                             | MODIFYING SIGNAL AND LIGHTING @ SKYWAY/OLIVER RD   | LS              | 1                  | \$ 70,000.00  | \$ 70,000.00          |
| 39                             | MOBILIZATION                                       | LS              | 1                  | \$ 50,000.00  | \$ 50,000.00          |
| 40                             | PAVEMENT MARKERS (RETROREFLECTIVE-RECESSED)        | EA              | 1941               | \$ 9.50       | \$ 18,439.50          |
| 41                             | 8" THERMOPLASTIC TRAFFIC STRIPE                    | LF              | 2598               | \$ 2.00       | \$ 5,196.00           |
| <b>TOTAL BASE BID AMOUNT =</b> |  |                 |                    |               | <b>\$4,906,864.78</b> |

### Additive Bid #1

| Bid Item                           | Item Description                                 | Unit of Measure | Estimated Quantity | Unit Price   | Total Amount        |
|------------------------------------|--|-----------------|--------------------|--------------|---------------------|
| 1                                  | MODIFY WORKING HOURS TO 7PM TO 7 AM (NIGHT WORK) | LS              | 1                  | \$163,000.00 | \$163,000.00        |
| <b>TOTAL ADDITIVE BID AMOUNT =</b> |  |                 |                    |              | <b>\$163,000.00</b> |

**TOTAL BASE BID + ADDITIVE BID #1 = \$5,069,864.78**

**ARTICLE III.** – The Town hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide the materials and to do the project work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby agrees to pay the same at the time, in the

On-System Roadway Rehabilitation - Skyway  
Federal Project No. ER38YO(012) .1  
Contract No. 7303.1 CON

Town of Paradise  
Contract Forms  
Page 3

manner and upon the conditions above set forth; and the parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants contained in this Agreement.

**ARTICLE IV.** – Contractor certifies that Contractor is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing the performance of the project work of this Agreement.

**ARTICLE V.** – It is further expressly agreed by and between the parties hereto that if there be any conflict between the terms of this Agreement and the bid of the Contractor, then this agreement shall control and nothing herein shall be considered as an acceptance of the terms of the Bid conflicting herewith.

**ARTICLE VI.** – The Town of Paradise hereby employs Contractor to provide material and to do the project work according to the terms and conditions herein contained and referred to for the following prices to be paid at the time, in the manner and upon the conditions set forth in this agreement.

**ARTICLE VII.** – The project work required in the performance of this Agreement is an improvement over which the Town of Paradise shall exercise general supervision.

**ARTICLE VIII.** – The statement of prevailing wages appearing in the General Prevailing Wage Rates is hereby specifically referred to and by this reference is made a part of this Agreement. It is further expressly agreed, by and between the terms of this Agreement and the bid of the Contractor, that this Agreement shall control and nothing herein shall be considered as an acceptance of the terms of the Bid conflicting with this Agreement.

**ARTICLE IX.** – Notwithstanding any other provision, all claims by the Contractor for \$375,000 or less against the Town shall be subject to the procedures set forth in Public Contract Code sections 20104 to 20104.8; a copy of which is shown below:

20104.

- (a) (1) This article applies to all public works claims of three hundred seventy-five thousand dollars (\$375,000) or less which arise between a contractor and a local agency.  
(2) This article shall not apply to any claims resulting from a contract between a contractor and a public agency when the public agency has elected to resolve any disputes pursuant to Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2.
- (b) (1) "Public work" has the same meaning as in Sections 3100 and 3106 of the Civil Code, except that "public work" does not include any work or improvement contracted for by the state or the Regents of the University of California.  
(2) "Claim" means a separate demand by the contractor for (A) a time extension, (B) payment of money or damages arising from work done by, or on behalf of, the contractor pursuant to the contract for a public work and payment of which is not otherwise expressly provided for or the claimant is not otherwise entitled to, or (C) an amount the payment of which is disputed by the local agency.
- (c) The provisions of this article or a summary thereof shall be set forth in the plans or specifications for any work which may give rise to a claim under this article. (d) This article applies only to contracts entered into on or after January 1, 1991.

20104.2.

For any claim subject to this article, the following requirements apply:

- (a) The claim shall be in writing and include the documents necessary to substantiate the claim. Claims must be filed on or before the date of final payment. Nothing in this subdivision is intended to extend the time limit or supersede notice requirements otherwise provided by contract for the filing of claims.
- (b) (1) For claims of less than fifty thousand dollars (\$50,000), the local agency shall respond in writing to any written claim within 45 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim, any additional documentation supporting the claim or relating to defenses to the claim the local agency may have against the claimant.  
(2) If additional information is thereafter required, it shall be requested and provided pursuant to this subdivision, upon mutual agreement of the local agency and the claimant.  
(3) The local agency's written response to the claim, as further documented, shall be submitted to the claimant within 15 days after receipt of the further documentation or within a period of time no greater than that taken by the claimant in producing the additional information, whichever is greater.
- (c) (1) For claims of over fifty thousand dollars (\$50,000) and less than or equal to three hundred seventy-five thousand dollars (\$375,000), the local agency shall respond in writing to all written claims within 60 days of receipt of the claim, or may request, in writing, within 30 days of receipt of the claim, any additional documentation supporting the claim or relating to defenses to the claim the local agency

may have against the claimant.

(2) If additional information is thereafter required, it shall be requested and provided pursuant to this subdivision, upon mutual agreement of the local agency and the claimant.

(3) The local agency's written response to the claim, as further documented, shall be submitted to the claimant within 30 days after receipt of the further documentation, or within a period of time no greater than that taken by the claimant in producing the additional information or requested documentation, whichever is greater.

- (d) If the claimant disputes the local agency's written response, or the local agency fails to respond within the time prescribed, the claimant may so notify the local agency, in writing, either within 15 days of receipt of the local agency's response or within 15 days of the local agency's failure to respond within the time prescribed, respectively, and demand an informal conference to meet and confer for settlement of the issues in dispute. Upon a demand, the local agency shall schedule a meet and confer conference within 30 days for settlement of the dispute.
- (e) Following the meet and confer conference, if the claim or any portion remains in dispute, the claimant may file a claim as provided in Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code. For purposes of those provisions, the running of the period of time within which a claim must be filed shall be tolled from the time the claimant submits Contractor's or her written claim pursuant to subdivision (a) until the time that claim is denied as a result of the meet and confer process, including any period of time utilized by the meet and confer process.
- (f) This article does not apply to tort claims and nothing in this article is intended nor shall be construed to change the time periods for filing tort claims or actions specified by Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Part 3 of Division 3.6 of Title 1 of the Government Code.

#### 20104.4.

The following procedures are established for all civil actions filed to resolve claims subject to this article:

- (a) Within 60 days, but no earlier than 30 days, following the filing or responsive pleadings, the court shall submit the matter to nonbinding mediation unless waived by mutual stipulation of both parties. The mediation process shall provide for the selection within 15 days by both parties of a disinterested third person as mediator, shall be commenced within 30 days of the submittal, and shall be concluded within 15 days from the commencement of the mediation unless a time requirement is extended upon a good cause showing to the court or by stipulation of both parties. If the parties fail to select a mediator within the 15-day period, any party may petition the court to appoint the mediator.
- (b) (1) If the matter remains in dispute, the case shall be submitted to judicial arbitration pursuant to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, notwithstanding Section 1141.11 of that code. The Civil Discovery Act (Title 4 (commencing with Section 2016.010) of Part 4 of the Code of Civil Procedure) shall apply to any proceeding brought under this subdivision consistent with the rules pertaining to judicial arbitration.  
(2) Notwithstanding any other provision of law, upon stipulation of the parties, arbitrators appointed for purposes of this article shall be experienced in construction law, and, upon stipulation of the parties, mediators and arbitrators shall be paid necessary and reasonable hourly rates of pay not to exceed their customary rate, and such fees and expenses shall be paid equally by the parties, except in the case of arbitration where the arbitrator, for good cause, determines a different division. In no event shall these fees or expenses be paid by state or county funds.  
(3) In addition to Chapter 2.5 (commencing with Section 1141.10) of Title 3 of Part 3 of the Code of Civil Procedure, any party who after receiving an arbitration award requests a trial de novo but does not obtain a more favorable judgment shall, in addition to payment of costs and fees under that chapter, pay the attorney's fees of the other party arising out of the trial de novo.
- (c) The court may, upon request by any party, order any witnesses to participate in the mediation or arbitration process.

#### 20104.6.

- (a) No local agency shall fail to pay money as to any portion of a claim which is undisputed except as otherwise provided in the contract.
- (b) In any suit filed under Section 20104.4, the local agency shall pay interest at the legal rate on any arbitration award or judgment. The interest shall begin to accrue on the date the suit is filed in a court of law.

**ARTICLE X. –** Notwithstanding any other provision, all claims by the Contractor the Town shall be subject to the procedures set forth in Public Contract Code sections 9201 to 9204; a copy of which is shown below:

#### 9201.

- (a) A public entity shall have full authority to compromise or otherwise settle any claim relating to a contract at any time.
- (b) The public entity shall include provisions in a public works contract for timely notification of the contractor of the receipt of any third-party claim, relating to the contract.
- (c) The public entity shall be entitled to recover its reasonable costs incurred in providing the notification required by subdivision (b).

*(Amended by Stats. 2002, Ch. 315, Sec. 1. Effective January 1, 2003.)*

#### 9203.

- (a) Payment on any contract with a local agency for the creation, construction, alteration, repair, or improvement of any public structure, building, road, or other improvement, of any kind which will exceed in cost a total of five thousand dollars (\$5,000), shall be made as the legislative body prescribes upon estimates approved by the legislative body, but progress payments shall not be



made in excess of 95 percent of the percentage of actual work completed plus a like percentage of the value of material delivered on the ground or stored subject to, or under the control of, the local agency, and unused. The local agency shall withhold not less than 5 percent of the contract price until final completion and acceptance of the project. However, at any time after 50 percent of the work has been completed, if the legislative body finds that satisfactory progress is being made, it may make any of the remaining progress payments in full for actual work completed.

- (b) Notwithstanding the dollar limit specified in subdivision (a), a county water authority shall be subject to a twenty-five thousand dollar (\$25,000) limit for purposes of subdivision (a).

*(Amended by Stats. 2000, Ch. 126, Sec. 1. Effective January 1, 2001.)*

9204.

- (a) The Legislature finds and declares that it is in the best interests of the state and its citizens to ensure that all construction business performed on a public works project in the state that is complete and not in dispute is paid in full and in a timely manner.
- (b) Notwithstanding any other law, including, but not limited to, Article 7.1 (commencing with Section 10240) of Chapter 1 of Part 2, Chapter 10 (commencing with Section 19100) of Part 2, and Article 1.5 (commencing with Section 20104) of Chapter 1 of Part 3, this section shall apply to any claim by a contractor in connection with a public works project.
- (c) For purposes of this section:
  - (1) "Claim" means a separate demand by a contractor sent by registered mail or certified mail with return receipt requested, for one or more of the following:
    - (A) A time extension, including, without limitation, for relief from damages or penalties for delay assessed by a public entity under a contract for a public works project.
    - (B) Payment by the public entity of money or damages arising from work done by, or on behalf of, the contractor pursuant to the contract for a public works project and payment for which is not otherwise expressly provided or to which the claimant is not otherwise entitled.
    - (C) Payment of an amount that is disputed by the public entity.
  - (2) "Contractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who has entered into a direct contract with a public entity for a public works project.
  - (3) (A) "Public entity" means, without limitation, except as provided in subparagraph (B), a state agency, department, office, division, bureau, board, or commission, the California State University, the University of California, a city, including a charter city, county, including a charter county, city and county, including a charter city and county, district, special district, public authority, political subdivision, public corporation, or nonprofit transit corporation wholly owned by a public agency and formed to carry out the purposes of the public agency.
  - (B) "Public entity" shall not include the following:
    - (i) The Department of Water Resources as to any project under the jurisdiction of that department.
    - (ii) The Department of Transportation as to any project under the jurisdiction of that department.
    - (iii) The Department of Parks and Recreation as to any project under the jurisdiction of that department.
    - (iv) The Department of Corrections and Rehabilitation with respect to any project under its jurisdiction pursuant to Chapter 11 (commencing with Section 7000) of Title 7 of Part 3 of the Penal Code.
    - (v) The Military Department as to any project under the jurisdiction of that department.
    - (vi) The Department of General Services as to all other projects.
    - (vii) The High-Speed Rail Authority.
  - (4) "Public works project" means the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.
  - (5) "Subcontractor" means any type of contractor within the meaning of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code who either is in direct contract with a contractor or is a lower tier subcontractor.
- (d) (1) (A) Upon receipt of a claim pursuant to this section, the public entity to which the claim applies shall conduct a reasonable review of the claim and, within a period not to exceed 45 days, shall provide the claimant a written statement identifying what portion of the claim is disputed and what portion is undisputed. Upon receipt of a claim, a public entity and a contractor may, by mutual agreement, extend the time period provided in this subdivision.
- (B) The claimant shall furnish reasonable documentation to support the claim.

(C) If the public entity needs approval from its governing body to provide the claimant a written statement identifying the disputed portion and the undisputed portion of the claim, and the governing body does not meet within the 45 days or within the mutually agreed to extension of time following receipt of a claim sent by registered mail or certified mail, return receipt requested, the public entity shall have up to three days following the next duly publicly noticed meeting of the governing body after the 45-day period, or extension, expires to provide the claimant a written statement identifying the disputed portion and the undisputed portion.

(D) Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the public entity issues its written statement. If the public entity fails to issue a written statement, paragraph (3) shall apply.

(2) (A) If the claimant disputes the public entity's written response, or if the public entity fails to respond to a claim issued pursuant to this section within the time prescribed, the claimant may demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Upon receipt of a demand in writing sent by registered mail or certified mail, return receipt requested, the public entity shall schedule a meet and confer conference within 30 days for settlement of the dispute.

(B) Within 10 business days following the conclusion of the meet and confer conference, if the claim or any portion of the claim remains in dispute, the public entity shall provide the claimant a written statement identifying the portion of the claim that remains in dispute and the portion that is undisputed. Any payment due on an undisputed portion of the claim shall be processed and made within 60 days after the public entity issues its written statement. Any disputed portion of the claim, as identified by the contractor in writing, shall be submitted to nonbinding mediation, with the public entity and the claimant sharing the associated costs equally. The public entity and claimant shall mutually agree to a mediator within 10 business days after the disputed portion of the claim has been identified in writing. If the parties cannot agree upon a mediator, each party shall select a mediator and those mediators shall select a qualified neutral third party to mediate with regard to the disputed portion of the claim. Each party shall bear the fees and costs charged by its respective mediator in connection with the selection of the neutral mediator. If mediation is unsuccessful, the parts of the claim remaining in dispute shall be subject to applicable procedures outside this section.

(C) For purposes of this section, mediation includes any nonbinding process, including, but not limited to, neutral evaluation or a dispute review board, in which an independent third party or board assists the parties in dispute resolution through negotiation or by issuance of an evaluation. Any mediation utilized shall conform to the timeframes in this section.

(D) Unless otherwise agreed to by the public entity and the contractor in writing, the mediation conducted pursuant to this section shall excuse any further obligation under Section 20104.4 to mediate after litigation has been commenced.

(E) This section does not preclude a public entity from requiring arbitration of disputes under private arbitration or the Public Works Contract Arbitration Program, if mediation under this section does not resolve the parties' dispute.

(3) Failure by the public entity to respond to a claim from a contractor within the time periods described in this subdivision or to otherwise meet the time requirements of this section shall result in the claim being deemed rejected in its entirety. A claim that is denied by reason of the public entity's failure to have responded to a claim, or its failure to otherwise meet the time requirements of this section, shall not constitute an adverse finding with regard to the merits of the claim or the responsibility or qualifications of the claimant.

(4) Amounts not paid in a timely manner as required by this section shall bear interest at 7 percent per annum.

(5) If a subcontractor or a lower tier subcontractor lacks legal standing to assert a claim against a public entity because privity of contract does not exist, the contractor may present to the public entity a claim on behalf of a subcontractor or lower tier subcontractor. A subcontractor may request in writing, either on their own behalf or on behalf of a lower tier subcontractor, that the contractor present a claim for work which was performed by the subcontractor or by a lower tier subcontractor on behalf of the subcontractor. The subcontractor requesting that the claim be presented to the public entity shall furnish reasonable documentation to support the claim. Within 45 days of receipt of this written request, the contractor shall notify the subcontractor in writing as to whether the contractor presented the claim to the public entity and, if the original contractor did not present the claim, provide the subcontractor with a statement of the reasons for not having done so.

- (e) The text of this section or a summary of it shall be set forth in the plans or specifications for any public works project that may give rise to a claim under this section.
- (f) A waiver of the rights granted by this section is void and contrary to public policy, provided, however, that (1) upon receipt of a claim, the parties may mutually agree to waive, in writing, mediation and proceed directly to the commencement of a civil action or binding arbitration, as applicable; and (2) a public entity may prescribe reasonable change order, claim, and dispute resolution procedures and requirements in addition to the provisions of this section, so long as the contractual provisions do not conflict with or otherwise impair the timeframes and procedures set forth in this section.
- (g) This section applies to contracts entered into on or after January 1, 2017.
- (h) Nothing in this section shall impose liability upon a public entity that makes loans or grants available through a competitive application process, for the failure of an awardee to meet its contractual obligations.
- (i) This section shall remain in effect only until January 1, 2027, and as of that date is repealed, unless a later enacted statute that is enacted before January 1, 2027, deletes or extends that date.

*(Amended by Stats. 2019, Ch. 489, Sec. 1. (AB 456) Effective January 1, 2020. Repealed as of January 1, 2027, by its own provisions.)*

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date first above written

**TOWN OF PARADISE**

By \_\_\_\_\_

*Kevin Phillips, Town Manager*

By \_\_\_\_\_

*Contractor*

Licensed in accordance with an act providing for the registration of contractors,

License No. \_\_\_\_\_

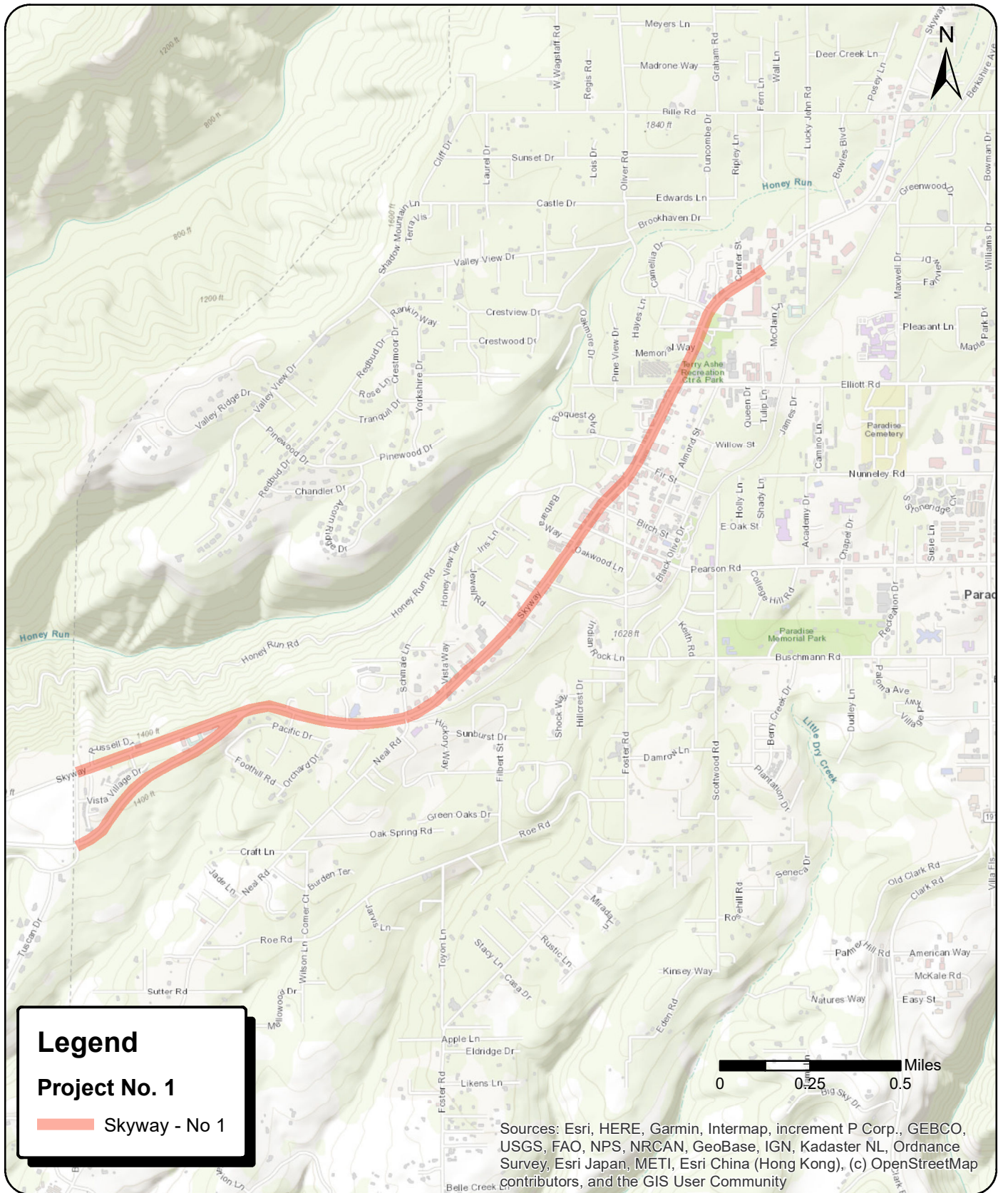
Federal Employer Identification Number \_\_\_\_\_

Approved and certified as being in conformance with the requirements of the Public Contract Code Section 20160 et seq.

\_\_\_\_\_

Scott E. Huber, Town Attorney

Approved Effective \_\_\_\_\_



**TOWN OF PARADISE**  
PUBLIC WORKS DEPARTMENT  
5555 Skyway Road  
Paradise, California 95969

**PROJECT NOTIFICATION MEMO NO. 1**  
**ON-SYSTEM ROAD**  
**REHABILITATION PROJECT**  
**FEDERAL-AID NO. ER38Y0(012).1**

**PROJECT**  
**LOCATION**  
**MAP**

J ERDAHL  
JAN 2022