



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

Planning Commission Staff:

Susan Hartman, Community Development Director

Planning Commission Members:

Kim Morris, Chair

Anita Towslee, Vice Chair

Lynn Costa, Commissioner

Ron Lassonde, Commissioner

Zeb Reynolds, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – August 18, 2020

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Hartman, at 872-6291 ext. 114 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

1a. Approval of July 21, 2020 regular meeting minutes.

2. COMMUNICATION

2a. Recent Council Actions

2b. Staff Comments

3. PUBLIC COMMUNICATION/PARTICIPATION

Public Communication Participation

In accordance with Governor Newsom's Executive Order N-29-20, remote public participation is allowed in the following ways:

The Planning Commission meeting is available to be viewed on live-stream at <https://livestream.com/townofparadise>

Public comment will be accepted by email with the subject line PUBLIC COMMENT ITEM ____ to dvolenski@townofparadise.com prior to 5:30 p.m. on the day of the meeting and will be read into the record during public comment. Written comments are subject to the regular time limitations of five minutes per speaker, please limit to 400 words or less. If you are unable to provide your comments in writing, please contact the Clerk's office for assistance at (530) 872-6291.

Public comment may be submitted by telephone during the meeting, prior to the close of public comment on an item by calling (530) 872-5951 at the time indicated by the Chair.

Alternately you may send an email with the subject line:

TELEPHONE PUBLIC COMMENT ITEM _____ to the Town Clerk, dvolenski@townofparadise.com and include your telephone number and you will be called during public comment.

Disabled persons may request reasonable modifications or accommodations relating to the use of telephonic or electronic observation and participation prior to the Council meeting by contacting the Town Clerk at (530) 872-6291 ext. 102.

*** PUBLIC HEARING PROCEDURE ***

- | | |
|-----------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for a maximum of five minutes unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

4. CONTINUED PUBLIC HEARING – None

5. PUBLIC HEARING

5a. a. **Item determined to be exempt from environmental review under CEQA Guidelines section 15061(b)(3) (General Rule exemption)**

PARADISE MUNICIPAL CODE: Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the zoning regulations in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would: 1. Add a new chapter of regulations pertaining to needle and exchange programs, as defined by Health and Safety Code Section 121349, et. Seq., within the Town of Paradise; and 2. Specifically enumerates the establishment, operation, conduct, or engagement in a needle and syringe exchange program within the Town of Paradise to be unlawful.

6. OTHER BUSINESS

6a. Acceptance and referral of the Planning Commission Annual Report for calendar year 2019 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan.

6b. Acceptance and referral of the Planning Commission Annual Report for calendar year 2019 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan Housing Element.

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

9. ADJOURNMENT

STATE OF CALIFORNIA)	SS.
COUNTY OF BUTTE)	
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:	
<hr/>	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



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P L A N N I N G C O M M I S S I O N M I N U T E S

July 21, 2020

6:00 PM

CALL TO ORDER by Secretary Volenski at 6:00 p.m. who let the pledge of Allegiance to the Flag of the United States of America.

PLANNING COMMISSIONERS PRESENT: Lynn Costa, Kim Morris and Anita Towslee.

PLANNING COMMISSIOENRS ABSENT: None

1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Towslee**, approve Regular Meeting Minutes of June 16, 2020. Roll call vote was unanimous.

2 SWEAR IN

Town Clerk Volenski swore in newly appointed Planning Commissioners Ronald Lassonde and Zeb Reynolds.

3. ROLL CALL

PLANNING COMMISSIONERS PRESENT: Lynn Costa, Ron Lassonde, Kim Morris, Zeb Reynolds and Anita Towslee.

PLANNING COMMISSIOENRS ABSENT: None

4. APPOINTMENT OF PLANNING COMMISSION CHAIR AND VICE CHAIR FOR THE 2020/2021 FISCAL YEAR

4a. Appointment of Chair (Secretary presiding)

Town Clerk Volenski opened up the floor for nominations for Planning Commission Chair for a one-year term commencing on July 21, 2020.

Chair Towslee nominated Commissioner Kim Morris to serve as Chair for a one-year term commencing July 21, 2020.

Motion by Lassonde, seconded by Reynolds to close the nomination for position of Chair. All commissioners approved closing the nomination.

A roll call vote on Commissioner Morris to serve as Chair for a one-year term through June 30, 2021 was approved unanimously.

Town Clerk Volenski turned the meeting over to Chair Morris.

4b. Appointment of Vice Chair

Chair Morris opened up the floor for nominations for Planning Commission Vice Chair for a one-year term commencing on July 21, 2020.

Chair Morris nominated Commissioner Towslee to serve as Vice Chair for a one-year term commencing July 21, 2020.

Motion by Morris, seconded by Reynolds to close the nomination for Vice Chair. All Commissioners approved closing the nomination.

A roll call vote on Commissioner Towslee to serve as Vice-Chair for a one-year term through June 30, 2021 was approved unanimously.

5. COMMUNICATION

a. Recent Council Actions

Community Development Director Susan Hartman informed the Planning Commissioner that the Town Council recently introduced an Ordinance regarding defensible space; amended the Urgency Ordinance regarding interim housing in recreational vehicles and requested staff bring back an ordinance banning the sale of flavored tobacco in the Town of Paradise.

b. Staff Comments - None

6. PUBLIC COMMUNICATION - None

7. CONTINUED PUBLIC HEARING - None

8. PUBLIC HEARING

5b. 1ST ASSEMBLY OF GOD CONDITIONAL USE PERMIT APPLICATION (PL20-00192): Planning Commission consideration of a conditional use permit application proposing the establishment of a religious assembly land use in an existing commercial building previously operated as a bowling alley. The project site is a 3.12-acre property zoned Community Commercial (CC), located at 5445 Clark Rd, Paradise and further identified as Assessor Parcel Number 054-090-068.

Associate Planner Chris Smith presented an overview of the proposed Use Permit Application from 1st Assembly of God to establish a religious assembly land use in the previously owned bowling alley.

Chair Morris opened the public hearing at 6:12 p.m.

1. Jack Wright, project applicant and Pastor of the church, provided information to the Planning Commissioner about the project and asked for support of the project.

Chair Morris closed the public hearing at 6:18 p.m.

MOTION by Lassonde, second by Towslee, adopted the finding provided by staff and approved the 1st Assembly of God conditional use permit application (PL20-00192) authorizing the establishment of a religious assembly land use to serve 150 or fewer parishioners. Services would be provided within a portion of an existing +/-25,938 square foot building located at 5445 Clark Road in Paradise, CA subject to the below conditions. Roll call vote was unanimous.

Community Development Director Hartman announced that an appeal of the Planning Commission's decision can be made within seven (7) days of the public hearing.

GENERAL CONDITIONS OF CONDITIONAL USE PERMIT APPROVAL

1. If any land use for which a conditional use permit has been granted and issued is not established within three years of the conditional use permit's effective date, the conditional use permit may become subject to revocation by the Town of Paradise.
2. Any work within the Clark Road right of way is subject to issuance of an encroachment permit from Caltrans.
3. Secure Town of Paradise design review approval for any new business or identification sign structures prior to the establishment of such signs.
4. Secure annual fire prevention inspections from the Town Fire Prevention Inspector in accordance with the California Code of Regulations Title 19 Public Safety.
5. Outside light fixtures associated with the project shall be designed to not exceed a height of sixteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties.
6. All activities associated with operation of the religious assembly land use shall be conducted in compliance with the Town of Paradise Noise Ordinance regulations.
7. The occupancy of the religious assembly shall be set at 150 occupants in accordance with the septic system capacity approval and application materials submitted March 16, 2020.
8. Minor changes to the nature or function of project-related activities may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal conditional use permit modification review and the payment of the appropriate processing fees. No changes affecting wastewater flow shall be considered without prior consultation with the Onsite Division.
9. Phase II conversion (future) of the bowling lanes to a sanctuary and fellowship hall will require modification of this conditional use permit by the Planning Commission.

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

FIRE PROTECTION

10. Complete the requirements of the Fire Prevention inspector regarding plans submittal and modification of the existing Automatic Fire Sprinkler System for the proposed church interior remodel.

SITE DEVELOPMENT

11. Meet the requirements of the Town Building Official regarding submittal of construction plans and all applicable Town adopted building code requirements.

12. Provide evidence of plan approval for the kitchen and snack bar remodel from Butte County Environmental Health.

CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION & OCCUPANCY

FIRE PROTECTION

13. Meet all other project requirements of the Paradise Fire Department in accordance with the Fire Prevention Inspector's review comments/conditions dated June 17, 2020 and on file with the Town Development Services Department

UTILITIES

14. Meet the requirements of the Paradise Irrigation District (PID) in accordance with written communication from PID staff regarding the 1st Assembly of God CUP application, dated July 2, 2020 and on file with the Town Development Services Department.

OTHER

15. Provide evidence of final sign-off from Butte County Environmental Health for the snack bar and kitchen remodel.

9. OTHER BUSINESS

Community Development Director Hartman advised the Planning Commissioners that the August meeting would include the annual updates on the General Plan and Housing Elements; a proposed ban on needle distribution in the Town of Paradise as requested from the Town Council and that 10-day notices have been sent out for the proposed wood processing yard on lower Clark.

10. COMMITTEE ACTIVITIES

11. COMMISSION MEMBERS

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

12. ADJOURNMENT

Chair Morris adjourned the meeting at 6:22 p.m.

Date Approved:

By: _____
Kim Morris, Chair

Attest:

Dina Volenski, CMC, Town Clerk

M E M O R A N D U M

AGENDA NO. 5 (a)

TO: Paradise Planning Commission

FROM: Susan Hartman, Community Development Director

SUBJECT: Public Hearing - Consider Adoption of a Resolution Recommending Town Council Adoption of Text Amendments to Title 17 (Zoning) of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs within the Town of Paradise

DATE: August 11, 2020

BACKGROUND:

During its July 14, 2020 meeting, the Town Council conducted a brief public discussion concerning the local needle and syringe exchange program, being conducted in the City of Chico by the Northern Valley Harm Reduction Coalition (NVHRC) as authorized by the State Dept of Public Health, and the fact that such services were recently expanded to allow delivery services to homes, RVs, tents, and other non-traditional dwellings. Concern was raised that, if services were further expanded to include Paradise, improper collection and disposal of used needles and syringes via such exchange program services can present an imminent threat to, the health, property, safety and welfare of Town citizens, particularly due to the fact that the current Paradise Municipal Code does not specifically identify or regulate needle and syringe exchange programs within the Town of Paradise.

Points presented during discussion of the subject were acknowledged by the Town Council and they expressed a desire to have local regulations that would prohibit needle and syringe exchange program services within our community. They authorized the Town Attorney and staff to address potential changes to the Paradise Municipal Code (PMC) relative to this subject matter. This Town-initiated amendment to the Paradise Municipal Code is intended to facilitate input from the Planning Commission.

PROPOSED CODE AMENDMENT:

Per direction received from the Town Council, the Town Attorney and planning staff have further researched the subject matter and advises that text regulations within Title 17 (Zoning) of the Paradise Municipal Code warrant amendment in order to: 1) add a new chapter of regulations pertaining to needle and syringe exchange programs, as defined by Health and Safety Code

Section 121349, et. seq within the Town of Paradise; and 2) specifically enumerates the establishment, operation, conduct or engagement in a needle and syringe exchange program within the Town of Paradise to be unlawful.

DISCUSSION:

Paradise Municipal Code Section 17.45.500 (*Procedures for zoning district(s) or zoning text amendments*) provides for the Planning Director to initiate the process of zoning code text amendments whenever public necessity, convenience or general welfare are sufficiently compelling to warrant Planning Commission and Town Council consideration of such amendments.

At the direction of the Town Council, staff has developed the attached resolution document (and its attached exhibit “A”) that, if adopted by the Planning Commission, would recommend Town Council adoption of text amendments to the Town’s Zoning Ordinance in order to accomplish the objectives outlined in the preceding discussion (added text in the attached “Exhibit A” is shown as shaded).

Planning staff, and the Town Attorney have determined, that the nature of the proposed text amendments is sufficiently minor in that there is no possibility adoption and implementation of the amendment would result in a direct and significantly adverse effect on the environment. Thus, the proposed amendment can be found to be exempt from the requirements of the California Environmental Quality Act [CEQA], pursuant to CEQA Guidelines section 15061 (b)(3) [General Rule Exemption].

COMMISSION ACTION REQUESTED:

Please be prepared to discuss the proposed amendments to the Town’s Zoning Ordinance with staff, other Commissioners and the attending public during the required noticed public hearing. At the conclusion of the public hearing, staff’s recommendation is for the Planning Commission to adopt Planning Commission Resolution No. 20-02, “A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs Within the Town of Paradise”. If deemed necessary by a majority consensus of Planning Commissioners present, staff will be prepared to discuss and make further changes or additions to the text of the attached and proposed resolution prior to Planning Commission adoption.

LIST OF ATTACHMENTS FOR THE PROPOSED ZONING ORDINANCE TEXT AMENDMENT

1. Copy of the notice of public hearing for the proposed text amendments.
2. Copy of Notice of Exemption dated August 6, 2020.
3. Copy of Planning Commission Resolution No. 20-02, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs Within the Town of Paradise".

Advertising Order Confirmation

ENTERPRISE-RECORD MERCURY-REGISTER PARADISE POST RED BLUFF DAILY NEWS

08/04/20 4:45:07PM

Page 2

<u>Ad Number</u>	<u>Color</u>	<u>Production Color</u>	<u>Ad Attributes</u>	<u>Production Method</u>	<u>Production Notes</u>
0006508143-01				AdBooker	
<u>External Ad Number</u>	<u>Pick Up</u>	<u>Ad Type</u>	<u>Released for Publication</u>		
		Legal Liner			

NOTICE OF PUBLIC HEARING
PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Paradise Planning Commission that a public hearing will be held on Tuesday, August 18, 2020 at 6:00 p.m. in the Paradise Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following matter:

a. Item determined to be exempt from environmental review under CEQA Guidelines section 15061(b)(3) (General rule exemption)

PARADISE MUNICIPAL CODE: Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the zoning regulations in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would: 1. Add a new chapter of regulations pertaining to needle and exchange programs, as defined by Health and Safety Code Section 121349, et. Seq., within the Town of Paradise; and 2. Specifically enumerates the establishment, operation, conduct, or engagement in a needle and syringe exchange program within the Town of Paradise to be unlawful.

The project files are available for public inspection at the Development Services Department, Paradise Town Hall. 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 Paradise Planning Commission at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-5291, extension 114.

SUSAN HARTMAN
Planning Director
8/08/2020

<u>Product</u>	<u>Requested Placement</u>	<u>Requested Position</u>	<u>Run Dates</u>	<u># Inserts</u>
Paradise Post	Legals CLS NC	General Legal NC - 1076~	08/08/20	1

NOTICE OF EXEMPTION

To: File

From: Town of Paradise, Development Services Department,
Planning Division, 5555 Skyway, Paradise, CA 95969

Project Title: Zoning Code Text Amendment

Project Applicant: Town of Paradise

Project Location: N/A

Project Description: Amendments to the Town zoning code banning needle & syringe exchange programs

Approving Public Agency: Town of Paradise

**Person or Agency
Carrying Out Project:** Town of Paradise

Exempt Status:
☐ Ministerial (Section 15268)
☐ Emergency Project (Section 15269)
☐ Categorical Exemption (Section 15302)
☒ General Rule Exemption (Section 15061)

Reason for Exemption: The amendments do not constitute a project under CEQA, no physical activity is planned and there is no possibility of a significant environmental effect.

Contact Person: Susan Hartman, Planning Director
(530) 872-6291 x114

Signature:



Date: 08/06/2020

**TOWN OF PARADISE PLANNING COMMISSION
RESOLUTION 20-02**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING TOWN COUNCIL
ADOPTION OF TEXT AMENDMENTS TO TITLE 17 OF THE PARADISE MUNICIPAL CODE RELATIVE
TO PROHIBITING THE ESTABLISHMENT OF NEEDLE AND SYRINGE EXCHANGE PROGRAMS
WITHIN THE TOWN OF PARADISE**

WHEREAS, the Town of Paradise is legally required to direct and regulate land development and land uses via zoning regulations and other means that are consistent with its current Paradise General Plan as well as current state planning and zoning law; and

WHEREAS, the Paradise Planning Commission finds that there is a compelling need for the Town Council of the Town of Paradise to adopt the foregoing Paradise Municipal Code (PMC) amendments to assist with ongoing efforts to minimize an imminent threat to the health, property, safety and welfare of Town citizens, and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on August 18, 2020 to study and consider recommending Town Council adoption of text amendments to PMC Title 17 (Zoning Ordinance) as proposed by Town staff; and

WHEREAS, the public review also included review and determination that the proposed PMC text amendment is an activity that is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (general rule exemption) because there is no possibility that the amendment would result in a significantly adverse effect upon the environment; and

WHEREAS, the Planning Commission has considered the recommendation of the Town staff, etc., as well as input received during the public hearing; and on the basis of the foregoing, has determined that the text amendments to PMC Title 17 (Zoning Ordinance) is warranted at this time in order to prohibit the establishment of needle and syringe exchange programs within the Town of Paradise.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARADISE as follows:

The Planning Commission hereby recommends to the Town Council of the Town of Paradise, adoption of the proposed text amendments to PMC Title 17 (Zoning Ordinance) as set forth in **Exhibit "A"** attached hereto and made a part of by reference; and recommends to the Town Council that the proposed Paradise Municipal Code text amendments is not subject to the requirements of the California Environmental Quality Act (CEQA) in accordance with the general rule categorical exemption provisions of CEQA Guidelines Section 15061.

**TOWN OF PARADISE
PLANNING COMMISSION
RESOLUTION NO. 20-02**

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 18th day of August 2020 by the Following Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kim Morris, Chair

ATTEST:

Dina Volenski, Town Clerk

EXHIBIT "A"

SECTION 1: A new Chapter 17.32.1 [NEEDLE AND SYRINGE EXCHANGE] shall be added to Paradise Municipal Code Title 17 [Zoning Ordinance] to read as follows:

Sections:

17.32.1.1 Findings and Purpose

17.32.1.2 Prohibition

17.32.1.3 No Zone

17.32.1.1 Findings and Purpose.

- A. The California Department of Public Health (CDPH) may authorize a Needle and Syringe Exchange Program (NSEP) in local communities pursuant to Health and Safety Code section 121349, et seq.; and
- B. CDPH has certified Northern Valley Harm Reduction Coalition (NVHRC) to provide needle exchange services in the City of Chico; and
- C. Local law enforcement officers have seen an increase in property destruction and improper needle disposal related to the Chico NSEP; and
- D. Some syringes issued by NVHRC in Chico have been improperly disposed of in other cities throughout Butte County; and
- E. According to a February 27, 2020 letter from CDPH to Assembly Member Gallagher, CDPH intends to discuss NVHRC "expanded services in other areas"; and
- F. Improper collection and disposal of used hypodermic needles and syringes is inimical to, and presents an imminent threat to, the health, property, safety and welfare of Town citizens; and
- G. Pursuant to the Town's police power, as granted broadly under Article XI, Section 7 of the California Constitution, the Town Council of the Town of Paradise has the authority to enact and enforce ordinances and regulations for the public peace, health and welfare of the Town and its residents; and
- H. Government Code Section 38771 authorizes the Town, through its legislative body, to declare actions and activities that constitute a public nuisance; and
- I. As to matters concerning land use, and of buildings thereon, Title 17 (Zoning) of the Paradise Municipal Code is intended to promote the growth of the Town in an orderly manner and promote and protect the public health safety, peace, comfort and general welfare in conformance with the Town's General Plan; and
- J. Needle and syringe exchange programs are not an enumerated use under Title 17 of the Paradise Municipal Code, which does not specifically identify or regulate needle and syringe exchange programs within the Town of Paradise; and

- K. The operation of a needle and syringe exchange program carries the risk of negatively impacting the Goals and Safety Element of the Town's General Plan; and
- L. The Town Council finds that the commencement, establishment and/or operation of a needle and syringe exchange program would pose a current and immediate threat to the public health, safety or welfare.

17.32.1.2 Prohibition. It shall be unlawful for any person to establish, operate, conduct, or engage in a needle and syringe exchange program, as defined by Health and Safety Code Section 121349, et seq. within the Town of Paradise.

17.32.1.3 No Zone. No property in any zone of the Town shall be used for purposes of a needle and syringe exchange program of any type, including as defined by Health and Safety Code Section 121349 et seq. The use of any property for such purpose shall be a public nuisance and may be abated as provided in the Paradise Municipal Code or pursuant to state law. A violation of this Chapter shall be and is hereby declared to be contrary to the public interest and shall, at the discretion of the Town, create a cause of separate action for injunctive relief as well as any other available civil remedies.

MEMORANDUM

TO: Paradise Planning Commission **AGENDA NO. 6(a)**

FROM: Susan Hartman, Community Development/Planning Director

SUBJECT: Preparation of an Annual Report to the Town Council Regarding the Present Status of the 1994 Paradise General Plan and Progress Toward its Implementation **(2019 Calendar Year)**.

DATE: August 11, 2020

BACKGROUND: California Government Code Section 65400 requires a local planning agency (i.e. Paradise Planning Commission and staff) to annually review and provide a report to the local legislative body (Paradise Town Council) regarding progress toward the implementation of its general plan. The wording of Government Code Section 65400 is as follows:

Provide an annual report to the legislative body on the status of the plan and progress in its implementation, including the progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement and development of housing...

Since adoption of the 1994 Paradise General Plan, staff and the Planning Commission have jointly crafted and forwarded to the Town Council annual reports detailing our progress toward implementation of the plan. These previously generated reports were the result of work effort on the part of staff and Planning Commission members and have served as the format foundation for the proposed **Calendar Year 2019 1994 Paradise General Plan Implementation Status Report** attached to this memorandum for your consideration.

The format of the attached report is based upon and linked to the contents of the previous annual reports. Planning Commissioners should focus their attention on the implementation status of all **policies and implementation measures** currently established within the 1994 Paradise General Plan and its subsequently adopted amendments. In addition, the report is formatted in a manner that is directly linked with the **Volume I - Policy Document of the 1994 Paradise General Plan** by specific listing of individual general plan policies, implementation measures and their respective Volume I - Policy Document page number. Updated comments regarding the past year's progress toward implementation of individual policy statements and implementation measures are shaded and/or bolded.

As an effort for the proposed report to be meaningful, you may need to refer to your personal copy of the 1994 Paradise General Plan (Volume I - Policy Document) for the actual text of individual general plan policies and implementation measures. Alternatively, you may access the policy document via the Town's website (townofparadise.com).

COMMISSION ACTION REQUESTED: Be prepared to publicly discuss this matter and to adopt a motion to forward the proposed annual implementation status report to the Town Council as required by California Government Code Section 65400. Prior to forwarding the report, staff will be prepared to make any changes to the report desired by the majority of Planning Commissioners.

Attachment



CALENDAR YEAR 2019*

1994 PARADISE GENERAL PLAN

IMPLEMENTATION STATUS REPORT

**Presented to the
Paradise Planning Commission**

August 2020

REPORT OF THE PLANNING COMMISSION

1994 PARADISE GENERAL PLAN IMPLEMENTATION STATUS REPORT FOR CALENDAR YEAR 2019*

LAND USE ELEMENT:

GROWTH AND LAND USE DEVELOPMENT:

<u>Policy/ Implem. Measure</u>	<u>Text Page</u>	<u>Policy Brief</u>	<u>Implementation Status</u>
LUP-1	(6-3)	Recognize site limitations	Implemented and ongoing.
LUP-2	(6-3)	Factor in constraints analysis	Implemented and ongoing.
LUP-3	(6-3)	Minimize grading	Implementation ongoing as opportunity so afforded.
LUP-4	(6-3)	Specific Plan for south of town	Not yet implemented. Private work effort was initiated in 2006 for a portion of the secondary planning area south of town limits; and has been idle due to funding and staffing shortages. Butte County General Plan 2030 was adopted October 2010 and includes directive to develop a specific plan for a portion of this area, for which the Town will provide input.
LUP-5	(6-3)	Open Space/Ag designation	Implemented.
LUP-6	(6-3)	Annexations south of town	Not implemented due to lack of necessity.
LUP-7	(6-3)	35' maximum building height	Implemented and ongoing.
LUP-8	(6-3)	Evaluate cumulative impacts	Required by law; implemented and ongoing.
LUP-9	(6-3)	Public notice requirements	Implemented and ongoing.
LUP-10	(6-3)	Encourage planned developments	Ongoing directive; implemented as opportunities arise.
LUP-11	(6-3)	Design projects to avoid constraints	Implemented and ongoing.

LUI-1	(6-4)	Track residential growth rate	Implemented and ongoing.
LUI-2	(6-4)	Prepare Specific Plan	Not implemented. See LUP-4.
LUI-3	(6-4)	Amend PMC for grading	Implemented via Town adoption of the 2010 and 2016 California Green Building Standards Code.
LUI-4	(6-4)	Amend zoning for GP consistency	Fully implemented (1997).

PUBLIC SERVICES AND INFRASTRUCTURE:

LUP-12; 13; 14	(6-4)	Growth not to exceed availability of public services	Implemented via planning process reforms; an ongoing directive.
LUP-15	(6-5)	Improve public service capacity	Implemented and an ongoing directive.
LUP-16	(6-5)	No discretionary residential permit unless adequate public services	Implemented and ongoing.
LUP-17	(6-5)	Encourage service districts to expand or enhance capacity	Partially implemented and ongoing as opportunities arise.
LUP-18	(6-5)	TOP and PID meet bi-annually	A Town Council/P.I.D. meeting was held on May 30, 2006. The Town/PID Liaison Committee met on May 29 and December 11, 2019 to publicly discuss several issues of import to the Town and PID. This policy merits continued implementation, particularly during the post Camp Fire recovery.
LUP-19	(6-5)	Densities based on constraints	Implemented and ongoing.
LUP-20	(6-5)	Police and Fire service levels	Implemented and ongoing.
LUP-21	(6-5)	Assessment districts	Partially implemented and ongoing as needed.
LUP-22	(6-5)	Fees for service delivery costs	Partially implemented via the Town's development impact fee program.
LUP-23	(6-5)	Feasibility of annexation	Implemented and an ongoing directive.
LUP-24	(6-5)	Feasibility of merging with PID	Feasibility studies are tabled by the Town pending adequate funding and other post Camp Fire factors.
LUP-25	(6-5)	Designate general locations for public and open space uses	Fully implemented.

LUP-26	(6-6)	Findings for public service and infrastructure capacity	Implemented and ongoing.
LUI-5	(6-6)	Capital improvements program	The Town developed & adopted a 3-year capital improvements program in 2015. It merits a time extension (2-3 years) pending an updated and revised Paradise General Plan adoption.
LUI-6	(6-6)	Assure adequate water delivery	Partially implemented and ongoing.
LUI-7	(6-6)	Implement <i>Master Storm Drain Study & Facilities Plan</i>	Partially implemented and ongoing.
LUI-8	(6-6)	Public safety impact fees	Implemented and ongoing.
LUI-9	(6-6)	Service fees for existing uses	Partially implemented and ongoing directive.
LUI-10	(6-6)	Development impact fees	Partially fund implemented and ongoing.
LUI-11	(6-6)	Investigate forms of assessment districts	Partially implemented and ongoing. In 2019, and relative to the Paradise Sewer Project, the Town: a) approved the localized treatment option in lieu of a regional option; b) authorized an RFP release for project preliminary engineering and environmental services; and c) was awarded partial grant funding for the sewer project.
LUI-12	(6-6)	LAFCO to study any potential merging with special districts	Not implemented; lack of necessity prior to 2018 Camp Fire.
LUI-13	(6-6)	Monitor population trends for effects on public services	Implemented and ongoing.

LAND USE DISTRIBUTION AND LOCATION

LUP-27; LUP-28	(6-7)	Create Central Commercial Area	Implemented via Town Council adoption of Town Resolution No. 01-37 in November, of 2001.
LUP-29	(6-7)	Central Commercial area to focus on visitors	Implemented and ongoing.
LUP-30	(6-7)	CIP for revitalization areas	Ongoing Directive. Frontage improvements to sidewalks and bicycle lanes

			on the north and south sides of Pearson Road between Academy Drive and Skyway were completed in 2017. The Downtown Skyway Sidewalks Improvement Project (Pearson to Elliott Roads) was constructed in 2018.
LUP-31	(6-7)	Retail sales and infill on Skyway	Implemented and ongoing as opportunities arise.
LUP-32	(6-7)	Discourage strip development on Clark Rd	Ongoing directive.
LUP-33	(6-8)	Encourage existing strip fill in	Ongoing directive.
LUP-34	(6-8)	Larger retail to locate in centers with adequate facilities	Ongoing directive.
LUP-35	(6-8)	Professional office development	Ongoing directive.
LUP-36	(6-8)	Expand industrial park	Town efforts to acquire/develop additional business or industrial park property continue as opportunities arise.
LUP-37; 38	(6-8)	Lt Industrial/Business Park areas	Implemented.
LUP-39	(6-8)	Preserve residential neighborhoods	Ongoing directive and implemented.
LUP-40	(6-8)	Community facilities compatibility	Ongoing directive.
LUP-41	(6-8)	Airport compatibility uses	Ongoing directive.
LUP-42	(6-8)	Locations for cemeteries	Implemented.
LUP-43	(6-8)	Timber production areas	Implemented.
LUP-44	(6-8)	Locations for gateway areas	Implemented.
LUI-14	(6-8)	Provisions for mixed land uses	Implemented.
LUI-15	(6-8)	Zoning consistent with GP	Implemented.
LUI-16	(6-8)	Provide for visitor services	Implemented.
LUI-17	(6-8)	Adopt Capital Improvements Plan	Implemented. See comment for LUI-5.
LUI-18	(6-8)	Develop. guidelines for large retail	Largely implemented via adoption of town-wide design standards in March, of 2010.

LAND USE DENSITIES

LUP-45	(6-9)	Higher density compatibility	Ongoing directive.
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LUP-46	(6-9)	Higher density locations	Partially implemented and ongoing.
LUP-47	(6-9)	½ acre minimum residential lot size	Ongoing implementation.
LUP-48	(6-9)	High density residential locations	Partially implemented and ongoing.
LUP-49	(6-9)	Higher density requirements	Ongoing directive, implemented as opportunities are afforded.
LUP-50	(6-9)	Low density Multi-Family locations	Ongoing directive and partially implemented.
LUI-19	(6-9)	Zoning consistent with GP	Implemented and ongoing directive.
LUI-20	(6-9)	Make findings consistent with GP	Implemented and ongoing.
LUI-21	(6-9)	Safety standards for high density	Implemented.
LUI-22	(6-9)	Identify difficult to develop areas	Implemented and ongoing.

ECONOMIC DEVELOPMENT/REDEVELOPMENT

LUP-51	(6-10)	Attract needed industries	Partially implemented; target industry study completed. Additional implementation as new opportunities arise.
LUP-52	(6-10)	Promote reuse of empty buildings	Ongoing directive. Dissolution of RDA eliminated a primary funding source for the façade renovation program, which targeted reuse of existing buildings.
LUP-53, 54	(6-11)	Town theme for Central Comm.	Implemented. Town-wide Design Standards are adopted. Various PMC sign regulation changes adopted in 2010 have assisted as well.
LUP-55	(6-11)	35' max commercial height	Implemented and ongoing.
LUP-56	(6-11)	Screen commercial parking areas	Ongoing directive; implemented.
LUP-57	(6-11)	Artisan and tourist center	Chamber of Commerce and the Paradise Art Association continue to sponsor cultural events. The Town has formed a committee that includes local business owners as part of an effort to promote Downtown beautification and commerce.
LUP-58	(6-11)	Create scenic gateway areas	Ongoing directive; partially implemented.
LUP-59	(6-11)	Support retention of open space	Ongoing directive.
LUP-60	(6-11)	Common theme for gateway areas	Implemented via PMC zoning code text amendments and adoption of design standards in 2010.

LUP-61	(6-11)	Eliminate unsightly materials near entrances to town	Ongoing directive.
LUP-62; 63	(6-11)	Promote town as tourist destination	Ongoing and partially implemented.
LUP-64	(6-11)	Bed and breakfast locations	This directive is implemented via Town's zoning regulations.
LUP-65	(6-11)	Develop destination resort	Ongoing directive, but not implemented.
LUP-66	(6-11)	Update <i>Downtown Revitalization Plan</i> as needed	Adopted plan implementation is promoted via 2010 adoption of Design Standards.
LUP-67	(6-12)	Sites for business park	Partially implemented. See LUP-51.
LUI-23	(6-12)	Calif. "Main Street" program	Functionally Implemented. "Main Street" concepts/components were incorporated within the adopted Downtown Revitalization Plan and the 2010 Design Standards.
LUI-24	(6-12)	Promote farmers market	Ongoing implementation. A farmers' market was included in the Chamber of Commerce-Party in the Park events at Paradise Community Park from June 12 through July 31, 2019.
LUI-25	(6-12)	Staffing business development Programs and activities	Ongoing implementation.
LUI-26	(6-12)	Design guidelines for commercial	Implemented.
LUI-27	(6-12)	Enforce comm. zoning ordinance	Implemented.
LUI-28	(6-12)	Design review committee	Not ongoing or needed since 2010 due to adoption of Town's design Standards.
LUI-29	(6-12)	Apply design guidelines to existing businesses	Implemented.
LUI-30	(6-12)	Land use controls in gateways	Implemented via adoption of scenic highway corridor zoning regulations and 2010 adoption of Design Standards specific to gateway areas.
LUI-31	(6-12)	Funding for gateway areas	Partially implemented as opportunities arise.
LUI-32	(6-12)	Upgrade entrance signs	A volunteer group, "The Sign Committee", conducted an online vote for new entrance signs to Town and is working on funding to replace them.
LUI-33	(6-12)	Review sign regulations	Ongoing directive and implemented.

LUI-34	(6-12)	Promote completion of auditorium	Implemented.
LUI-35	(6-12)	Facilitate weekend tourist events	Implementation ongoing.
LUI-36	(6-12)	Parking facilities study	Ongoing directive as part of the Downtown Revitalization Master Plan.
LUI-37	(6-12)	Improve code enforcement program	Implemented and ongoing as funds permit.
LUI-38	(6-12)	Outdoor display ordinance	Implemented via adoption of ord. No. 550 in 2014 (see LUI-37 also).
LUI-39	(6-13)	Relocate nonconforming uses	Ongoing directive.

INTERGOVERNMENTAL COORDINATION

LUP-68	(6-13)	Use BCAG for land use decisions	Ongoing and partially implemented as opportunities are afforded.
LUP-69	(6-13)	Regional decision making	Ongoing and partially implemented as opportunities are afforded.
LUP-70	(6-13)	Butte County urban reserve policy	Ongoing and partially implemented as opportunities are afforded.
LUP-71	(6-13)	Protection of Paradise watershed	Ongoing and partially implemented as opportunities are afforded.
LUI-40; 41; 42	(6-13)	Coordination with Butte County	Ongoing and partially implemented as opportunities are afforded.

LAND USE CONTROLS

LUP-72	(6-14)	Relocation of nonconforming uses	Ongoing directive.
LUP-73	(6-14)	Discourage expansion of legal nonconforming uses	During post Camp Fire in 2019 the Town adopted specific and short-term natural disaster regulations within Section 17.39.300 [Restoration of damaged nonconforming use] of the Paradise Municipal Code.
LUP-74	(6-14)	Improve code enforce program	Implemented and ongoing.
LUP-75	(6-14)	Comm. handicap accessibility	Ongoing and implemented.
LUP-76	(6-14)	Revise local CEQA guidelines	Implemented.
LUI-43; 44	(6-14)	Zone parcels consistent with GP	Implemented.
LUI-45	(6-14)	Consistently enforce regulations	Implemented and ongoing.

TERTIARY PLANNING AREA

LUP-77; 78; 79	(6-15)	Projects in tertiary area should not be approved if adverse impacts on Town of Paradise	Partially implemented and ongoing directive.
LUP-80; 81	(6-15)	Projects in tertiary area should have open space	Partially implemented and ongoing as opportunities are afforded.
LUP-82	(6-15)	Projects in tertiary area should Acknowledge high fire hazards	Partially implemented and ongoing as opportunities are afforded.
LUI-46; 47	(6-15)	Coordinate with county agencies/districts	Implemented and ongoing. Town staff provided input for the Butte County General Plan 2030 adopted in October of 2010.
LUI-48	(6-15)	Joint powers agreements	Partially implemented.
LUI-49	(6-15)	Expand Sphere of Influence	Partially implemented.

CIRCULATION ELEMENT:

CP-1	(6-18)	LOS "D" or better for roadways	Partially implemented and ongoing.
CP-2	(6-18)	Circulation problems eliminated	Circulation problems have been formally prioritized for elimination as funding permits via BCAG adoption of Regional Transportation Plan. Grant funding was secured in 2017 for 5 separate street, sidewalk, trailway and bicycle lane improvement projects characterized by significant safety enhancements.
CP-3	(6-18)	Impacts of street extensions	Ongoing directive and implemented.
CP-4	(6-19)	Mitigate circulation impacts	Ongoing and implemented on case by case basis.
CP-5	(6-19)	Upper Ridge roadway impact fees	Partially implemented and ongoing. Butte County collects development impact fees for upper ridge development, a portion of which is earmarked for Skyway and Clark Roads in Paradise.
CP-6	(6-19)	Additional street connections	Ongoing directive. Little progress due to a history of limited opportunities and constraints predating the 2018 Camp Fire.

CP-7	(6-19)	New traffic signal synchronization	Partially implemented. Synchronized traffic signals from Elliott Road to Neal Road along Skyway were completed in 2014. Grant secured in 2015 will fund signalization of the Black Olive Drive/Skyway intersection, further improving signal synchronization along Skyway.
CP-8	(6-19)	Regulate truck routes	Implemented and ongoing.
CP-9	(6-19)	Establish park-and-ride facilities	Ongoing, partially implemented as opportunities afforded.
CP-10	(6-19)	Sidewalk and pathway program	Ongoing directive. Pearson Road improvements/signalization at Recreation Drive were completed in 2013. Infill sidewalks, curbs and gutters along Pearson Road between Academy Dr. and Skyway was constructed in 2017. Grant funding has been secured for environmental review and design for new sidewalks along Birch, Elliott, Foster and Black Olive Drive. Grant funding was secured for construction of new sidewalks along Pearson Road between Academy and Black Olive Drives. Approximately 5 pedestrian improvement projects are planned during 2018 through 2020.
CP-11	(6-19)	Bicycle and hiking trails	Ongoing directive; partially implemented. The Downtown Paradise Safety Project installed bicycle lanes along Skyway between Elliot and Pearson Roads in 2014. Bicycle lanes along Pearson Rd. between Pentz and Clark Roads and along Maxwell Dr. were largely completed in 2015. Shoulder widening and the addition of bicycle lanes on Pearson Road from Clark Road to Pentz Road was completed in 2016. Construction/installation of flashing beacons at trailway crossing of major streets completed in 2018.
CP-12	(6-19)	Butte County road standards	Implemented. Butte County and the Town have adopted compatible road standards for the Town's Sphere of Influence.
CP-13	(6-19)	Trip reduction plan programs	Partially implemented and ongoing.
CP-14	(6-19)	Senior and handicapped transit	Ongoing directive; partially implemented via Paradise Express service.
CP-15	(6-19)	Expand public transit services	Consolidation of County-wide transit services has helped promote implementation.
CP-16	(6-19)	Improve commercial parking	Ongoing directive implemented as opportunities arise. Construction of an additional public parking facility in the Central Commercial area was

			completed in 2011.
CP-17	(6-19)	Improving traffic flows	Ongoing and partially implemented.
CP-18	(6-20)	Roadway extension workshops	Ongoing and partially implemented.
CP-19	(6-20)	Increase transit opportunities	Partially implemented. The component regarding children has not been implemented due to lack of available funding.
CP-20	(6-20)	Town Engineer to review circulation studies	Not being implemented due to lack of resources and staff. BCAG development of a Regional Transportation Plan initiated in 2014/2015 has assisted.
CI-1	(6-20)	Access standards along arterials.	Ongoing directive.
CI-2	(6-20)	Road connection feasibility study	Merits promoted implementation due to post Camp Fire consequences.
CI-3	(6-20)	Establish development impact fees	Partially implemented and ongoing, but not annually.
CI-4; 5	(6-20)	Road maint. agreement w/ B.C.	Ongoing and partially implemented.
CI-6	(6-20)	Locations for sidewalks	Ongoing and partially implemented.
CI-7	(6-20)	Providing pedestrian pathways	Partially/potentially implemented by covenant agreements.
CI-8	(6-20)	Improve road shoulders	Ongoing implementation via various small-scale public infrastructure projects.
CI-9	(6-20)	Transportation facilities	Ongoing directive.
CI-10	(6-21)	Utilizing transportation funds	Ongoing implementation as funds permit.
CI-11	(6-21)	Butte County Circulation Element	Refer to comment for CP-5.

HOUSING ELEMENT:

NOTE: A separate report detailing implementation of the Town of Paradise Housing Element is prepared for Planning Commission review and recommended referral to the Town Council at their regularly scheduled March 17th, 2020 meeting. The format and contents of the Housing Element report is dictated by the California Department of Housing and Urban Development and is therefore generated as a stand-alone, but related document.

NOISE ELEMENT:

NP-1	(6-33)	Noise level acoustical analysis	Ongoing implementation as needed.
NP-2	(6-33)	Transportation noise levels	Ongoing implementation as needed.
N-3	(6-33)	Exterior noise levels	Ongoing implementation as needed.
N-4	(6-33)	Noise mitigation measures	Ongoing implementation as needed.
N-5	(6-33)	Acoustical analysis standards	Ongoing implementation as needed.
N-6; 7	(6-33)	Paradise Skypark Airport levels	Ongoing implementation as needed.
NP-8	(6-33)	Preserve quiet residential areas	Ongoing directive.
NP-9	(6-33)	Control obtrusive noise	Ongoing implementation via noise regulations of the Paradise Municipal Code.
NP-10	(6-34)	Development near care facilities	Ongoing implementation as needed.
NI-1; 2	(6-34)	Monitor mitigation compliance	Ongoing implementation as needed.
NI-3	(6-34)	Noise insulation standards	Implemented and ongoing.
NI-4; 5	(6-34)	Review and update noise element	Partial ongoing implementation as required.
NI-6	(6-34)	Improve noise ordinance	Implemented and ongoing (currently merits an update in response to the intensity/magnitude of the post Camp Fire cleanup and rebuild efforts).
NI-7	(6-34)	Adopt Airport Land Use Plan	Implemented.

SAFETY ELEMENT:

NOTE: During 2019, as time permitted staff commenced initiating a detailed text revision and updates for the Safety Element that hopefully will be presented during late 2020/early 2021 to the Planning Commission and the Town Council.

SP-1	(6-41)	Public service response times	Ongoing implementation as needed.
SP-2	(6-42)	Adequate road improvements	Ongoing implementation as needed.

SP-3	(6-42)	Fire and crime prevention design	Implemented and ongoing.
SP-4	(6-42)	Adequate fire flow	Ongoing implementation at staff level. See LUP-6 and LUP-18.
SP-5	(6-42)	Require brush removal	Implemented and ongoing.
SP-6	(6-42)	Adoption of Uniform Fire Code	Implemented and ongoing.
SP-7	(6-42)	New fire station locations	Implemented and ongoing.
SP-8	(6-42)	SRA fire safety standards	Ongoing directive.
SP-9	(6-42)	Adverse effects of increased runoff	Implemented and ongoing.
SP-10; 11	(6-42)	Development in floodways	Implemented and ongoing.
SP-12	(6-42)	Master Storm Drain Study Plan	Implemented and ongoing.
SP-13	(6-42)	Airport height restriction policy	Ongoing implementation as needed.
SP-14	(6-42)	Detrimental and toxic discharge	Ongoing implementation via regulatory efforts of the Town's Onsite Sanitation Division, the County Dept. of Public Health Services and RWQCB.
SP-15	(6-43)	Projects to minimize soil erosion	Implemented an Erosion and Sediment Control Plan for all development projects complying with the Town's Phase II MS4 NPDES General Permit issued by the State Water Board.
SP-16	(6-43)	Erosion control on sloped lots	Ongoing implementation as needed.
SP-17	(6-43)	No development on slopes $\geq 30\%$	Ongoing implementation as needed.
SI-1	(6-43)	Standards for adequate fire flow	Implemented and ongoing.
SI-2	(6-43)	Review and amend existing roadway standards	Ongoing directive. Not implemented, lack of resources, staff, etc.
SI-3	(6-43)	Public safety impact fees	Partial funding implemented and ongoing.
SI-4	(6-43)	Public safety service fees	Not implemented at this time due to legal (Prop.218) constraints.
SI-5	(6-43)	Earthquake and fire danger Education for residents	Implemented and ongoing.
SI-6	(6-43)	Enforce UBC (bldg) and UFC (fire)	Implemented and ongoing.
SI-7	(6-43)	Adequate dry brush clearance	Implemented and ongoing.
SI-8	(6-43)	Amend ordinances as necessary to require erosion control	Ongoing and partially implemented.
SI-9	(6-43)	Evaluate and implement the	

SI-10	(6-43)	Master Storm Drain Study	Ongoing as opportunities arise and funding sources become available.
SI-11	(6-43)	Adopt Airport Land Use Plan	Implemented.
		Airport Commission review	Ongoing implementation as needed.
SP-18; 19	(6-45)	Siting of HHW facilities	Functionally implemented and ongoing as a result of establishment and successful operation of the Town's HHW facility.
SP-20; 21	(6-45)	Countywide HHW agreements	Ongoing. See County Hazardous Waste Management Plan.
SP-22	(6-45)	HHW transportation routes	Ongoing. See County Hazardous Waste Management Plan.
SP-23; 24	(6-45)	Siting of collection facilities in the industrial area	Implemented.
SI-12	(6-46)	Develop. to consider HHW Element	Ongoing implementation as needed.
SI-13	(6-46)	Regional facility siting	Ongoing implementation as needed.
SI-14	(6-46)	Hazardous waste data collection	Ongoing implementation as needed.
SI-15	(6-46)	Ordinances compliant with AB 2948	Ongoing implementation as needed.
SI-16	(6-46)	Develop HHW reduction program	Ongoing implementation as needed.
SI-17	(6-46)	Program to manage waste oil	Implemented.
SI-18;19	(6-46)	Develop HHW educational programs	Ongoing implementation as needed.
SI-20	(6-46)	HHW air quality standards	Ongoing and implemented.
SI-21;22	(6-46)	Collection and education programs	Ongoing and implemented.

OPEN SPACE/CONSERVATION ELEMENT:

OCEP-1; 2; 3	(6-49)	Scenic highway corridors	Implemented.
OCEP-4	(6-49)	New billboard size and location restrictions	Implemented and ongoing.
OCEP-5; 6	(6-49)	Protecting scenic view corridors	Ongoing implementation as needed.
OCEI-1	(6-50)	Development standards to maintain Integrity of scenic highway	Implemented via Town adoption of scenic highway zoning regulations.

OCEI-2	(6-50)	Utility locations in gateways	Implemented as needed.
OCEI-3	(6-50)	New billboard regulations	Implemented and ongoing.
OCEP-7	(6-51)	Open space as infill tool	Implemented, ongoing directive.
OCEP-8	(6-51)	Trailways with new development	Ongoing and partially implemented as needed; Yellowstone Kelly Heritage Trailway (formerly Paradise Memorial Trailway) extension completed in 2010 indicates progress.
OCEP-9	(6-51)	Public access to Lookout Point	Implemented and ongoing via Butte County.
OCEP-10	(6-51)	Linear park around trailway	Partially implemented/ongoing via Trailway Plan & recent improvements.
OCEP-11	(6-51)	Work with PRPD for park locations	Implemented and ongoing.
OCEP-12	(6-51)	Work to acquire open space	Ongoing directive and merits implementation due to 2018 Camp Fire Circumstances.
OCEI-4;	(6-51)	Work with PRPD to develop open space specific plan	The PRPD adopted a revised and updated 15-year District Master Plan during 2010 that will assist in implementation of this directive.
OCEI-5	(6-51)	Park facilities consistent with GP	Implemented and ongoing.
OCEI-6	(6-51)	Expansion of Sphere of Influence	Not implemented due to lack of necessity.
OCEI-7	(6-51)	Open space east of Neal Rd	Partially implemented as an ongoing directive.
OCEP-13	(6-52)	Protect large trees	Ongoing directive and implemented as opportunities afforded.
OCEP-14; 15	(6-52)	Maintenance of natural habitat	Partially implemented and ongoing.
OCEP-16	(6-52)	Protect area fisheries	Partially implemented and ongoing.
OCEP-17	(6-52)	Protect deer herd migration routes	Ongoing directive.
OCEP-18; 19	(6-53)	Protect view sheds	Ongoing and partially implemented.
OCEP-20; 21	(6-53)	Protect neighboring views	Ongoing and partially implemented.
OCEP-22	(6-53)	Underground utilities encouraged	Partially implemented and ongoing. The Town established two new underground utility districts in 2016. During 2019 PG&E agreed to and commenced undergrounding some of its electrical transmission lines along the Skyway and within the Town.
OCEP-23	(6-53)	Preserve groundwater quality	Implemented and ongoing.

OCEP-24; 25(6-53)	Protect town's water resources	Implemented and ongoing.
OCEP-26 (6-53)	Keep natural riparian vegetation	Partially implemented and ongoing via case by case analysis.
OCEP-27 (6-53)	Land uses near sensitive lands	Implemented and ongoing.
OCEP-28 (6-53)	Control grading in subdivisions	Implemented and ongoing. Adoption of 2016 California Green Building Standards Code has assisted.
OCEP-29 (6-53)	Golf course operation encouraged	Ongoing directive.
OCEP-30 (6-53)	Grey water usage ordinance	Implemented and ongoing. The Town adopted grey water use regulations in 2014.
OCEP-31 (6-53)	Retention of agricultural lands	Ongoing partial implementation.
OCEP-32;33(6-53, 54)	Identify ag and timber lands	Implemented.
OCEP-34; 35(6-54)	Support programs to recycle	Implemented/ongoing via execution of a solid waste franchise agreement with NRWS.
OCEP-36 (6-54)	Archaeologically sensitive lands	Implemented and ongoing.
OCEI-8 (6-54)	Develop standards for stream and drainage way protection	Implemented and ongoing.
OCEI-9 (6-54)	Low density on sensitive land	Implemented and ongoing.
OCEI-10 (6-54)	Regulations for creek discharges	Implemented and ongoing via RWQCB and the Town's Wastewater Management District.
OCEI-11 (6-54)	Seek grants for reforestation	Partially implemented and ongoing as opportunity affords itself.
OCEI-12 (6-54)	Mitigation for tree removal	Largely implemented via tree ordinance regulations.
OCEI-13 (6-54)	Encourage Arbor Day	Ongoing directive.
OCEI-14 (6-54)	Preserve natural wildlife areas	Implemented and ongoing.
OCEI-15 (6-54)	Undergrounding utilities	Partially implemented and ongoing. See OCEP 22.
OCEI-16 (6-54)	Acquire conservation easements	Not implemented; lack of funding.
OCEI-17 (6-54)	Establish Williamson Act program	Not implemented; lack of local opportunities.
OCEI-18 (6-55)	Compliance with CEQA archaeological impacts	Implemented and ongoing directive.
OCEI-19; 20(6-55)	Use of qualified archaeologists	Implemented and ongoing.
OCEI-21; 22; 23; 24(6-55)	Implement recycling programs	Implemented and ongoing. See OCEP-34; 35 and SP-18; 19 comments
OCEI-25 (6-55)	Eliminate leaf burning	Progress toward implementation has been achieved; Town Council has

OCEI-26	(6-55)	Support water conservation	adopted regulations resulting in a reduction in leaf burning.
OCEI-27	(6-55)	PRPD impact mitigation program	Partial implementation and ongoing. See note for LUP-6 and LUP-18.
OCEP-37	(6-56)	Cogeneration possibilities	Implemented and ongoing.
OCEP-38	(6-56)	Support recycling	Not implemented due to a history of limited opportunities and Constraints predating the 2018 Camp Fire.
OCEP-39	(6-56)	Siting of multi-family housing	Implemented.
OCEP-40	(6-56)	Commercial sign design	Ongoing directive.
OCEP-41	(6-57)	Landscape plan standards	Implemented by Town-wide Design Standards adopted in 2010.
OCEP-42	(6-57)	Pedestrian and bicycle consideration in new subdivisions	Implemented and ongoing.
OCEP-43	(6-57)	Bike lanes on collector streets	Ongoing and partially implemented on a case by case basis.
OCEI-28	(6-57)	Energy conservation partnership	Implemented as opportunities arise.
OCEI-29	(6-57)	Energy conservation ordinance	Partially implemented and ongoing.
OCEI-30	(6-57)	Energy conservation in zoning	Functionally implemented through adoption of 2016 Green Building Standards.
			Ongoing directive.

EDUCATION AND SOCIAL SERVICES ELEMENT:

SOCIAL SERVICES ELEMENT - (Education and Schools)

ESP-1-7	(6-59)	School siting requirements	Ongoing directives; implemented as opportunities arise.
ESP-8	(6-60)	PUSD review of GP amendments	Ongoing directive.
ESP-9; 10	(6-60)	PUSD considerations for density	Implemented and ongoing.
ESI-1	(6-60)	PUSD to review GP amendments	Implemented and ongoing.

ESI-2	(6-60)	Notify PUSD of Fed or State develop.	Ongoing directives implemented as opportunities arise.
ESI-3; 4	(6-61)	Ongoing review of school sites	Ongoing directives implemented as opportunities arise.
ESI-5	(6-61)	Findings for school capacities	Not implemented. Local school enrollment levels do not appear to warrant current implementation.
ESI-6	(6-61)	PUSD impact mitigation program	Not implemented; prohibited by California State law.

SOCIAL SERVICES ELEMENT - (Senior Services):

ESP-11-13	(6-62)	Needs of the aging and elderly	Partially implemented and ongoing.
ESP-14-16	(6-62)	Help improve senior facilities/svcs	Partially implemented and ongoing.
ESI-7	(6-62)	Work with senior groups	Partially implemented and ongoing but no formally established liaison.
ESI-8; 9	(6-62)	Add Community Services land uses	Implemented.
ESI-10	(6-62)	Alternative means to improve svcs	Partially implemented via federally funded Town housing programs.

SOCIAL SERVICES ELEMENT - (Child Day Care):

ESP-17-19	(6-63)	Large family daycare requirements	Implemented.
ESI-11	(6-63)	Streamline large family daycares	Implemented.

SOCIAL SERVICES ELEMENT - (The Arts)

ESP-20	(6-64)	Encourage art and retail crafts	Partially implemented and ongoing as opportunities are afforded.
ESP-21	(6-64)	Dramatic theater facility siting	Implemented and ongoing.
ESP-22	(6-64)	Add arts program opportunities	Implementation ongoing.
ESP-23	(6-64)	Local arts education program	Partially implemented and ongoing.
ESI-12	(6-64)	Ongoing support of the arts	Partially implemented.
ESI-13	(6-64)	Feasibility of art related incentives	Not being implemented by local government efforts but via private sector (Paradise Ridge Chamber, etc.).
ESI-14	(6-64)	Display local art within Town Hall	Partially implemented and ongoing.

ESP-24	(6-65)	Education on value of library	Limited implementation effort.
ESP-25	(6-65)	Assist in funding library programs	Not implemented. Such opportunities have yet to materialize.
ESP-26	(6-65)	Support offerings of local library	Limited implementation effort.

SOCIAL SERVICES ELEMENT - (Library Services)

ESI-15	(6-65)	TOP and library liaison	Limited implementation effort.
ESI-16	(6-65)	Consolidate library with TOP	Not implemented. No advocacy nor demand for implementation currently exists.

SOCIAL SERVICES ELEMENT - (Activities for Teenagers):

ESP-27; 28	(6-66)	Facilities available for teens	Implemented and ongoing. Boys and Girls Club, PRPD programs/activities contribute greatly.
ESP-29	(6-66)	Solicit teen input	Limited implementation as opportunities are afforded.
ESI-17; 18	(6-66)	Develop avenues for teen input	Implemented as the opportunity arises.
ESI-19	(6-66)	Teens on citizen committees	Limited implementation.

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M E M O R A N D U M

AGENDA NO. 6(b)

TO: Paradise Planning Commission

FROM: Susan Hartman, Community Development/Planning Director

SUBJECT: Planning Commission Discussion of the Draft Annual Housing Element Progress Report for Calendar Year 2019

DATE: August 12, 2020

BACKGROUND:

Government Code Section 65400 requires each local jurisdiction to prepare an annual report on the status and progress in implementing its General Plan Housing Element using forms and definitions adopted by the California State Department of Housing and Community Development (HCD). The annual progress report must be submitted to HCD and the Governor's Office of Planning and Research (OPR).

Section 65400 further states that the annual Housing Element progress report "shall be at an annual public meeting before the legislative body where members of the public shall be allowed to provide oral testimony and written comments." In order to provide an opportunity for members of the public to provide this input, staff desires to provide the progress report for Town Council consideration during their regularly-scheduled September 8, 2020 meeting, thereby facilitating submittal to HCD and OPR by the end of September 2020.

The attached annual Housing Element progress report reveals that, of a total of five hundred seven (507) new dwelling units, the majority of permits applied for were for above-moderate income dwelling units. The remaining units needed for the 2014-2022 planning period are only for very-low income levels at 121 units.

Since the adoption of the Housing Element on June 10, 2014 (Resolution 14-22), staff continues to pursue opportunities to further the implementation of housing program objectives in addition to those programs where implementation involves ongoing directives to promote affordable housing through various means. The report contains a detailed enumeration of each program and its implementation status as of December 31, 2019.

COMMISSION ACTION REQUESTED:

Be prepared to publicly discuss this matter and to provide direction via an adopted motion to staff regarding any specific recommendations to be forwarded to the Town Council to facilitate additional and/or further implementation of the 1994 Paradise General Plan Housing Element.

Attachment

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2014	2015	2016	2017	2018	2019	2020	2021	2022	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	141										20	121
	Non-Deed Restricted							20					
Low	Deed Restricted	100	1		7	2						160	
	Non-Deed Restricted						62	88					
Moderate	Deed Restricted	93										95	
	Non-Deed Restricted		4		3	1		87					
Above Moderate		303	9		17	16		312				354	
Total RHNA		637											
Total Units			14		27	19	62	507				629	121

Note: units serving extremely low-income households are included in the very low-income permitted units totals

Cells in grey contain auto-calculation formulas

Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
HI-1: Reduce infrastructure constraints to development	Reduce constraints associated with wastewater disposal.	2014-2022	In 2019 the Town Council authorized an RFP release for preliminary engineering and environmental services to site a localized wastewater/sewer treatment option.
HI-2: Affordable housing resources	Promote affordable housing.	2014-2022	The Town adopted guidelines in 2016 for a new Tenant Based Rental Assistance Program utilizing HOME grant funds for low income households.
HI-3: Affordable housing incentives	Reduction in development standards to promote affordable housing.	Mar. 2015	Partnered with Rebuild Paradise on our SB2 grant application to be able to pay for the mastering of building plans that would then be available at low cost to the public for use and result in a reduced permit cost.
HI-4: Density bonus	Compliance with Government Code Sections 65915 & 65917.	Feb. 2016	Zoning ordinance amendments consistent with GC Sections 65915 & 65917 were adopted and implemented in January 2015. Density bonuses currently in-place for multi-family projects utilizing clustered wastewater treatment.
HI-5: Publicly owned lands inventory	Develop and maintain inventory of public land within Town limits and its sphere of influence for potential housing sites.	2014-2022	No new public lands acquired resulting in new housing opportunities since an inventory was compiled in 2009.
HI-6: Housing authority	Support the Housing Authority's role in Public Housing Rental Program and Housing Choice Voucher program.	2014-2022	On-going directive; on-going implementation.
HI-7: Small lot consolidation and development	Encourage consolidation of small parcels for residential use.	Dec. 2015	On-going directive. Opportunities for small lot consolidation did not present themselves during 2019.
HI-8: Promote second units	Prepare a Second Units Handbook.	Dec. 2015	Not yet implemented.
HI-9: Address discrimination	Provide filing information for discrimination complaints.	2014-2022	On-going directive. Fair housing/non-discrimination requirements are posted at Paradise Town Hall. No fair housing complaints were filed with the Town during 2019.
HI-10: Annual report	Provide annual report to Town Council and Planning Commission.	Annually	Implemented and on-going. Report for 2019 presented to Planning Commission during August 2020, Town Council during September 2020.
HI-11: Housing rehabilitation and improvement	Provide rehab and repair opportunities.	2014-2022	\$2M was available for both housing rehab and first-time home buyers in 2019 through CalHome, HOME, RDA, & CDBG funds.
HI-12: Condominium and mobile home conversions	Revise Chapter 16.10 of the Paradise Municipal Code to address conversions.	June. 2015	Not yet implemented.
HI-13: Enforce housing codes	Provide a safe and decent living environment.	2014-2022	Procedure in place through building division for the thorough investigation of housing complaints and the prompt abatement of resulting violations.
HI-14: Conversion of at-risk units	Reduce potential conversion of affordable housing to market-rate.	2014-2022	The Town is notified as a party on title to assisted affordable housing units. Coordination with Butte County Housing Authority is on-going.
HI-15: Reduce standards for seniors and disabled housing	Revise Zoning Ordinance to provide reduced standards	Dec. 2014	Paradise Municipal Code revised April 2015 to allow for reduced parking requirements for senior housing.
HI-16: Transitional/supportive housing	Revise zoning code to be consistent with requirements of state law.	Aug. 2015	Not yet implemented.

