



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931  
TELEPHONE (530) 872-6291 FAX (530) 877-5059  
www.townofparadise.com

**Planning Commission Staff:**

Craig Baker, Community Development Director  
Susan Hartman, Assistant Planner

**Planning Commission Members:**

Michael Zuccolillo, Chair  
Stephanie Neumann, Vice Chair  
James Clarkson, Commissioner  
Daniel Wentland, Commissioner

## PLANNING COMMISSION AMENDED AGENDA

6:00 PM – May 20, 2014

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 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, including closed session. 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 Council 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, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

### CALL TO ORDER

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

### ROLL CALL

#### 1. APPROVAL OF MINUTES

- 1a. Approve Regular Meeting Minutes of March 18, 2014, Special Meeting Minutes of March 31, 2014, and Special Meeting Minutes of May 5, 2014.

#### 2. COMMUNICATION

- a. Recent Council Actions  
b. Staff Comments

### 3. PUBLIC COMMUNICATION

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

**\*\*\* PUBLIC HEARING PROCEDURE \*\*\***

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

**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. Item determined to be exempt from environmental review under CEQA Guidelines section 15601 (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 Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the text amendments would include a) adding a new definition for "fence" to PMC section 17.04.500, b) amending PMC subsection 17.06.600(E)(4) by eliminating a reference to private access easements and c) adding a new subsection to PMC section 17.06.600 to regulate the establishment of fences and other barriers within private access easements.

### 6. OTHER BUSINESS

**6a. Acceptance and referral of the Planning Commission Annual Report for calendar year 2013 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan.**

### 7. COMMITTEE ACTIVITIES

### 8. COMMISSION MEMBERS

### 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:	
_____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	

# PLANNING COMMISSION MINUTES

March 18, 2014 Regular Meeting - 6:00 PM

**CALLED TO ORDER at 6:03 pm by Chairman Michael Zuccolillo.**

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

**ROLL CALL:** James Clarkson, Stephanie Neumann, Daniel Wentland and Michael Zuccolillo, Chairman.

## 1. APPROVAL OF MINUTES

**MOTION by Wentland, second by Neumann,** approved the minutes of the February 18, 2014 Regular meeting of February 18, 2014. Roll call vote was unanimous.

## 2. COMMUNICATION

Community Development Director Baker reported recent Council actions including the Council acceptance of the General Plan Implementation report that was forwarded by the Planning Commission; that the Council continued to March 19, 2014, the public hearing concerning appeal of the Planning Commission's interpretation of the Paradise Municipal Code relating to definition of a fence, and that the Council plans to consider an urgency ordinance on that date relating to location of fences or other barriers in private easements.

## 3. PUBLIC COMMUNICATION

1. Jon Remalia stated that he forwarded to the Planning Commission a copy of a court order that allows him to widen his driveway, that five trees must be removed to provide the 20' of Town required roadway and that the Town will not issue him tree removal permits as he is not the owner of the property upon which the trees are located. He asked the Planning Commission to consider adopting the definition of owner that is included in the California Building Code, to consider State law when considering the urgency ordinance that will be coming to them for review, and that he will coming to the Planning Commission next month to appeal the Community Development Director's decision regarding the existence of a gate on an easement, and asked them to be fair as he thinks the definitions are very clear, and stated that he believes the neighbors have also encroached into the easement.

Town Attorney Moore informed the Planning Commission that to obtain a tree removal permit, one must be a permittee, a property owner who has been issued a tree felling permit by the Town. Property owner means record owner of the property, a fee simple, not an easement. If there is a court order, then the matter remains with the court.

## 4. CONTINUED PUBLIC HEARING

- 4a. Conduct the continued public hearing to receive any testimony offered by the attending public. Close the hearing and , after any additional discussion, continue the hearing to the regularly scheduled April 15, 2014 Planning Commission meeting for possible consideration of a resolution document recommending 3 n Council adoption of proposed zoning code text

amendments designed to address the outdoor display of merchandise in commercial zoning districts.

Community Development Director reported that the proposed ordinance was discussed by an ad-hoc committee that included business owners, and the provision relating to standards for limiting areas of display was discussed extensively.

Chairman Zuccolillo opened the continued public hearing for public testimony at 6:17 p.m.

1. Jeff Gould, owner of 2<sup>nd</sup> Time Around, stated that he missed the March 10<sup>th</sup> meeting and asked for the date of the next meeting.

Mr. Baker provided written information to Mr. Gould that was handed out at the March 10 meeting and informed that a resolution with recommendations might be coming to the next Planning Commission meeting for consideration.

**MOTION by Neumann, seconded by Clarkson,** continued the public hearing proposed zoning code text amendments designed to address the outdoor display of merchandise in commercial zoning districts to the next Planning Commission meeting scheduled for April 15, 2014. Roll call vote was unanimous.

**5. PUBLIC HEARING – None.**

**6. OTHER BUSINESS**

- 6a. The Planning Commissioner concurred to schedule a special Planning Commission meeting on March 31, 2014 at 6:00 p.m. to present a public draft of an updated Paradise General Plan Housing Element and begin its public review period (an anticipated period of approximately sixty days).

**7. COMMITTEE ACTIVITIES: None.**

8. **COMMISSION MEMBERS:** Discussed the possible expansion of the Safeway grocery store to a Skyway location, the possible establishment of a Big 5 department store on property located on Maxwell Drive across from the Burger King fast food restaurant, and a Goodwill store in the old Builders Supply building on Skyway.

**9. ADJOURNMENT**

Chairman Zuccolillo adjourned the Planning Commission meeting at 6:25 p.m.

Date Approved:

By: \_\_\_\_\_  
Michael Zuccolillo, Chairman

\_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk



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## PLANNING COMMISSION MINUTES

**March 31, 2014**  
**6:00 PM**

**CALLED TO ORDER AT 6:00 p.m.**

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

**PRESENT AT ROLE CALL:** James Clarkson, Stephanie Neumann, Daniel Wentland and Michael Zuccolillo, Chairman.

### **1. PUBLIC HEARING**

- 1a. Town of Paradise Housing Element Update – The Planning Commission will hold a public hearing to review and solicit public comment on a public draft of the Town of Paradise General Plan Housing Element update.**

Community Development Director Craig Baker reported that the purpose of the hearing is to provide information on the Housing Element update process, review state law requirements and key issues involved in the update and accept input from various stakeholders and the general public. The updated Housing Element is intended to address the housing needs of the Town of Paradise from 2014 to 2022. 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 draft Housing Element update sets forth the Town's strategies for addressing housing opportunities for all income levels and provides a framework for decision-making relative to housing development within the Town. Following Planning Commission review and approval, the draft Housing Element will be submitted to the California Housing and Community Development (HCD) for a 60-day review period. The next step is publication of a California Environmental Quality Act (CEQA) document for a 30-day review that will be brought to the Planning Commission for review and forwarding to the Town Council along with the draft Housing Element.

Mr. Baker introduced Mike Martin of Pacific Municipal Consulting, the consultant firm contracted by the Town to assist in the preparation of the Housing Element update and associated environmental document. Mr. Martin displayed a Power Point presentation that explained what a Housing Element is, discussed the 2014-2022 Regional Housing Needs Allocation (RHNA) process and the Paradise RHNA Allocation, key updates included in the Housing Element and the schedule for approval of the Housing Element.

Commissioner Clarkson asked if there were any areas where compliance was uncertain. Mr. Martin informed the Planning Commission that there were no areas of concern, as the Town's zoning is very up-to-date, it was easy to access information relating to the homeless population, and there is plenty of vacant land in town.

Commissioner Zuccolillo opened the public hearing at 6:15 p.m. There were no speakers and the hearing was closed at 6:15 p.m.

**MOTION by Wentland, seconded by Clarkson,** accepted the draft Housing Element as presented. Roll call vote was unanimous.

## 2. ADJOURNMENT

Chair Zuccolillo adjourned the Planning Commission meeting at 6:15 p.m.

Date Approved:

By: \_\_\_\_\_  
Michael Zuccolillo, Chair

\_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk



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## PLANNING COMMISSION MINUTES

**May 05, 2014 – Special Meeting  
6:00 PM**

**CALLED TO ORDER** at 6:00 pm in the Town Hall Council Chamber located at 5555 Skyway, Paradise, California by Chair Michael Zuccolillo who led the Pledge of Allegiance to the Flag of the United States of America.

**COMMISSIONERS PRESENT:** James Clarkson, Stephanie Neumann, Daniel Wentland and Michael Zuccolillo, Chair.

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Community Development Director Craig Baker and Town Clerk Joanna Gutierrez.

### 1. PUBLIC HEARING

- 1a. **DAVIS TREE FELLING PERMIT APPLICATION (PL14-00111):** Request for town approval of a tree felling permit proposing the felling of  $\pm 22$  qualifying trees upon a  $\pm 1.94$  acre property zoned Town Residential  $\frac{1}{2}$  acre minimum (TR  $\frac{1}{2}$ ) located at 1004 Maple Park Dr (AP No. 053-101-034) due to declining health and potentially hazardous conditions.

Director Baker reported to the Planning Commission that the Davis tree felling application relates to twenty-two (22) trees that are diseased, have foundation, structural and root damage and are hazardous to structures on the property. Thirty-five (35) healthy trees will remain on the property. The registered forester's report is complete, the site plan is included with the staff report, and the application is eligible for approval.

Chair Zuccolillo opened the public hearing at 6:05 pm. There were no speakers on the matter and Chair Zuccolillo closed the hearing.

**1a. MOTION by Neumann, seconded by Wentland,** adopted the following findings for approval and approved the Davis tree felling permit application (PL14-00111) authorizing the removal of up to twenty-two (22) qualifying ponderosa pine trees from residential property located at 1004 Maple Park Drive (APN 053-101-034) subject to Condition #1 listed below:

**FINDINGS FOR APPROVAL**

- A. The Davis tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to improve forest health and mitigate hazardous conditions that threaten improvements related to an existing single-family land use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

**CONDITION OF TREE FELLING PERMIT APPROVAL**

- 1. The approval action for the Davis tree felling permit application shall be valid for an initial term of 24 months. This period may be extended administratively by the Community Development Director upon submittal of substantial evidence that unforeseeable extenuating circumstances have prevented the permit applicant from securing the issuance of the permit and completing the proposed tree felling activity.
- 1b. **BIG 5 TREE FELLING PERMIT APPLICATION (PL14-00121):** Request for town approval of a tree felling permit proposing the felling of  $\pm 20$  qualifying trees upon a  $\pm 1.42$  acre property zoned Community Commercial (CC) located at 7337 Skyway (AP No. 053-021-081) to facilitate construction of a  $\pm 9,975$  square foot retail store (Big 5) and related site improvements.

Director Baker reported to the Planning Commission that the Big 5 tree felling application relates to removal of up to 20 qualifying trees to accommodate the establishment of a  $\pm 9,975$  square foot Big 5 retail store on commercial property located at 7337 Skyway. The report from the licensed tree contractor indicates that development of the site will result in the felling and removal of up to twenty (20) qualifying trees, with twenty-four (24) qualifying and four (4) non-qualifying trees remaining on the property.

Chair Zuccolillo opened the public hearing at 6:17 p.m.

- 1. Tom McCally stated that he lives on an adjacent property and is in favor of the removal of hazardous trees and would like an opportunity to meet with the developers.

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



Community Development Director Baker informed the Planning Commission that the developer would like remove the word “aggressive” and replace it with the word “attractively” from Condition #4, as the plan is to provide more landscaping near the front and less in the back in order to provide a buffer for the adjacent homeowner. Director Baker suggested the following modification:

Amendment to Condition No 4: Required landscape plans for the proposed retail store shall be designed to accommodate all required replacement trees and, to the extent that is feasible, shall be designed to buffer and screen the proposed project from abutting residential properties. ~~south of the site via an aggressive tree and shrub planting plan along the northern and southerly project site boundaries.~~ Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.

**1b. MOTION by Wentland, seconded by Clarkson,** approved the amendment to Condition No. 4, adopted the findings for approval as provided by staff and listed below, and approved the Big 5 tree felling permit application (PL14-00121), authorizing the felling of up to twenty (20) qualifying trees on property located at 7337 Skyway (APN 053-021-081), subject to the following conditions:

**CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT**

1. Secure the issuance of a construction permit for any required septic system construction permit for the proposed retail store office facility.
2. File any required building permit applications for the proposed retail store with the Town Building Official/Fire Marshal.

**GENERAL CONDITIONS**

3. The approval action for the BIG 5 tree felling permit application shall be valid for an initial term of 24 months. This period may be extended administratively by the Community Development Director upon submittal of substantial evidence that unforeseeable extenuating circumstances have prevented the permit applicant from securing the issuance of the permit and completing the proposed tree felling activity.
4. Required landscape plans for the proposed retail store shall be designed to accommodate all required replacement trees and, to the extent that is feasible, shall be designed to buffer and screen the proposed project from abutting residential properties. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.

5. All trees to be retained on the site shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.
6. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction.

**2. ADJOURNMENT**

The Special Planning Commission meeting was adjourned by Chair Zuccolillo at 6:25 p.m.

Date Approved:

By: \_\_\_\_\_

Michael Zuccolillo, Chair

\_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk



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

**AGENDA NO. 5(a)**

**TO:** Paradise Planning Commission

**FROM:** Craig Baker, Community Development Director

**SUBJECT:** Public Hearing - Consider Adoption of a Resolution Recommending Town Council Adoption of Paradise Municipal Code Zoning Regulations Text Amendments Related to the Establishment of Fences and Other Barriers Within Private Access Easements

**DATE:** May 13, 2014

**BACKGROUND:**

On March 19, 2014, the Town Council adopted Ordinance No. 539 relating to a 45-day interim urgency ordinance enacting a moratorium on the establishment of fences, gates or barriers within or across private access easements. A copy of Ordinance 539 is attached.

On April 8, 2014, the Town Manager submitted a report to the Council concerning the current status of fences, gates and structures within private roadway easements and how they might impact the delivery of emergency police, fire and medical services to residents who use a private roadway easement. The report also outlined various approaches that other jurisdictions use to address the issue. As a result of this analysis, two proposed ordinances were prepared for the Town Council's review. At the conclusion of their discussion, a majority of the Town Council voted to direct the Planning Commission to consider adopting a resolution recommending Town Council adoption of zoning code text amendments to permit the establishment of fences, gates or other barriers within private road easements only if all parties using the easement consent to the establishment of such structures.

On April 22, 2014, the Town Council adopted Ordinance No. 541 extending Ordinance No. 539 for an additional 10 months and 15 days in accordance with Government Code Section 65858 to allow the Planning Commission the opportunity to review and consider adoption of a resolution amending zoning regulations contained in Paradise Municipal Code Title 17 (Zoning Ordinance).

**DISCUSSION:**

Given the fact that many, many developed residential properties in the Town of Paradise are accessed solely via private road easements, conflicts and disagreements regarding the establishment of fences, gates and other barriers within these easements are not uncommon.

The installation of a gate or other barrier across an access easement could interfere with Town public safety services and other first responders in a manner that could delay the delivery of medical, police and fire services. Further, the unregulated or unauthorized establishment of gates and fences within private access easements without the prior consent of all users of the easement could create a barrier to their egress from their respective residences in times of wildland fires.

In consideration of the circumstances outlined above, it is Town staff's position that the unregulated and/or unauthorized installation of gates or other barriers within private access easements presents a plausible and immediate threat to the public health, safety and welfare of the Town's residents and therefore proposed zoning ordinance text amendments were developed and are being proposed for your consideration.

If recommended by the Planning Commission to be adopted by the Town Council, the proposed amendments would accomplish the following objectives:

- Establish a new definition of the term "fence" which will be added to Section 17.04.500 [General Definitions] of the Paradise Municipal Code.
- Amend subsection No. 4 of Section 17.06.600 [Yard and Building/Structure Setback Regulations] of the Paradise Municipal Code to remove references to fences within private rights-of-way or access easements.
- Add a new subsection No. 6 of Section 17.06.600 [Yard and Building/Structure Setback Regulations] of the Paradise Municipal Code that prohibits the installation of a fence within a private roadway easement without the written consent of all persons with a legal right to use such an easement.

Town staff has determined, and the Town Attorney has concurred, that the proposed text amendments are minor in nature and that there is no possibility that adoption and implementation of the amendments would result in a direct and significantly adverse effect upon the environment. Therefore, the proposed amendments can be found to be exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15061 (General rule exemption).

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 several text amendments to the Town's Zoning Ordinance in order to accomplish the objectives outlined in the preceding discussion (deleted and added text in the attached "Exhibit A" is shown as ~~strikeout~~ and shaded, respectively).

**COMMISSION ACTION REQUESTED:**

Please be prepared to discuss adopting a motion to forward a recommendation to the Town Council, via adoption of Planning Commission Resolution No. 14-03, to adopt a town ordinance amending the text of current PMC Zoning Ordinance regulations. If deemed necessary by a majority consensus of Planning Commissioners present, staff will be prepared to make further changes or additions to the text of the attached and proposed resolution prior to Planning Commission adoption.

Attachments

**LIST OF ATTACHMENTS FOR THE PROPOSED ZONING ORDINANCE TEXT AMENDMENT**

1. Copy of the notice of public hearing for the proposed text amendment
2. Copy of Town Council adopted Ordinance No. 539 passed on March 19, 2014
3. Copy of Planning Commission Resolution No. 14-03, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Chapters 17.04 and 17.06 of the Paradise Municipal Code Relative to the Establishment of Fences and Other Barriers Within Private Access Easements"

**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, May 20, 2014 at 6:00 p.m. in the Town Hall Conference Room, 5555 Skyway, Paradise, CA, regarding the following matter:

- a. Item determined to be exempt from environmental review under CEQA Guidelines section 15601 (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 Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the text amendments would include a) adding a new definition for "fence" to PMC section 17.04.500, b) amending PMC subsection 17.06.600(E)(4) by eliminating a reference to private access easements and c) adding a new subsection to PMC section 17.06.600 to regulate the establishment of fences and other barriers within private access easements.

The project file is 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) 872-6291, extension 111.

CRAIG BAKER  
Community Development Director



**TOWN OF PARADISE  
ORDINANCE NO. 539**

**AN INTERIM URGENCY ORDINANCE OF THE TOWN COUNCIL OF THE  
TOWN OF PARADISE ENACTING A MORATORIUM ON THE  
ESTABLISHMENT OF FENCES, GATES OR BARRIERS WITHIN OR ACROSS PRIVATE ACCESS  
EASEMENTS**

The Town Council of the Town of Paradise, State of California does hereby **ORDAIN AS FOLLOWS:**

**SECTION 1.** Findings. The Town Council finds and declares as follows:

a) Paradise Municipal Code section 17.06.600 E. 4. states, in pertinent part, as follows:

“No fences shall be installed within public or private rights-of-way or access easements.”

- b) The Community Development Director and Town Attorney have opined that a gate would also be prohibited within a private access easement because it is a component of a fence.
- c) The Paradise Planning Commission has interpreted that a gate within a private access easement does not violate the prohibition against fences.
- d) The Planning Commission interpretation has been appealed to the Town Council.
- e) The installation of a gate within a private access easement could foreseeably interfere with Town public safety services in a manner that would delay or prevent first responders from delivering medical, police and fire services relating to emergencies.
- f) The installation of a gate within a private access easement without the prior consent of all users of the easement could create a barrier to their egress from their respective residences in times of wildland fires.
- g) Although section 503.6 of the California Fire Code, as amended and adopted by the Town of Paradise, sets forth requirements for the function of security gates, including those within or across private access easements, it does not specify or imply any required location(s) for such gates.
- h) Based on all the foregoing findings, the Town Council finds that there is a current and immediate threat to the public health, safety and welfare relating to emergency services and that the unregulated installation of a gate within a private access easement would result in that threat to the public health, safety and welfare of the Town’s residents.

**TOWN OF PARADISE  
ORDINANCE NO. 539**

- i) To study whether or not it is necessary to adopt regulations relating to the installation of fences, including gates, it is in the public interest to thoroughly study all the aspects of this subject matter before any additional gates are installed within or across a private access easement in the Town.

**SECTION 2.** Definitions. For the purpose of this ordinance, the following terms shall have the following meanings:

- a) "Fence" shall mean any barrier or structure consisting of any material, including a gate across or within any public right-of-way or private access easement.
- b) "Person" shall include: Any natural person, association, corporation, cooperative, partnership, limited liability company, or any other business entity.

**SECTION 3.** Prohibitions. During the term of this interim urgency ordinance, no person shall cause or permit the establishment, development, construction or enlargement of any fence, gate or any other barrier within or across a private access easement within the Town of Paradise.

**SECTION 4.** Report. The Town Manager is directed to conduct a study concerning placement of gates within private access easements and emergency services and whether it is necessary to regulate the installation of gates within private access easements and to issue a written report describing the measures taken by the Town to alleviate the conditions which have led to the adoption of this ordinance, at least 10 days prior to the expiration of this ordinance.

**SECTION 5.** Severability. If any provision of this ordinance or the application thereof to any person or circumstances is for any reason held to be invalid by a court or competent jurisdiction, such provision shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions or other applications of the ordinance, which can be given effect without the invalid provision or application thereof.

**SECTION 6.** Urgency, Duration and Publication. This ordinance is adopted by the Town Council pursuant to the California Constitution, article XI, section 7 and Government Code section 65858 by a four-fifths or greater vote, as an urgency measure to protect the public health, safety and welfare, and shall take effect immediately. The reasons for such urgency are set forth in Section 1 above. This ordinance shall expire and be of no further force or effect 45 days after its adoption, unless it is extended by the Town Council pursuant to California Government Code section 65858. Before the expiration of 15 days after the adoption of this ordinance, it

**TOWN OF PARADISE  
ORDINANCE NO. 539**

shall be published once, with the names of the members of this Council voting for or against the same in a newspaper of general circulation published in the Town of Paradise.

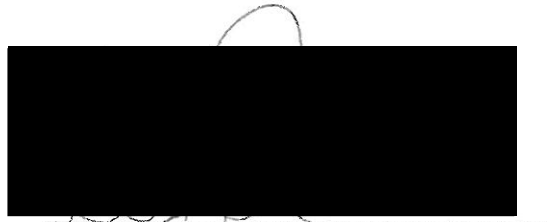
**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 19th day of March, 2014 by the following vote:

**AYES:** Greg Bolin, Steve "Woody" Culleton, Jody Jones, John J. Rawlings and Scott Lotter, Mayor

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None



Scott Lotter, Mayor

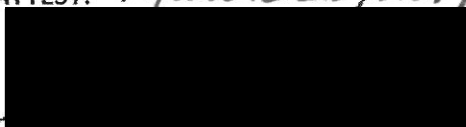
**APPROVED AS TO FORM:**



DWIGHT L. MOORE, Town Attorney

**ATTEST:**

*March 20, 2014*



JOANNA GUTIERREZ, Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION  
RESOLUTION 14-3**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING  
TOWN COUNCIL ADOPTION OF TEXT AMENDMENTS TO CHAPTERS 17.04 AND 17.06 OF THE  
PARADISE MUNICIPAL CODE RELATIVE TO THE ESTABLISHMENT OF FENCES AND OTHER  
BARRIERS WITHIN PRIVATE ACCESS EASEMENTS**

**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 regulate the establishment of fences and other barriers within private access easements, and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on May 20, 2014 to study and consider recommending Town Council adoption of text amendments to PMC Chapters 17.04 and 17.06 as proposed by Town staff; and

**WHEREAS**, the public review also included review and determination of whether or not the proposed PMC text amendments is an activity that is subject to the provisions of the California Environmental Quality Act (CEQA); 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 Chapters 17.04 and 17.06 are warranted at this time in order to regulate the establishment of fences and barriers within private access easements.

**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 Chapters 17.04 and 17.06 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 are 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.

**RESOLUTION NO. 14-03**

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 20th day of May, 2014 by the Following Vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Michael Zuccolillo, Chair

**ATTEST:**

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Joanna Gutierrez, Town Clerk

## EXHIBIT "A"

**SECTION 1.** The definition of the term "Fence" shall be added to Section 17.04.500 [General Definitions] of the Paradise Municipal Code to read as follows:

Fence. "Fence" means any barrier or structure consisting of any material, including a gate.

**SECTION 2.** Subsection No. 4 of Section 17.06.600 [Yard and Building/Structure Setback Regulations] of the Paradise Municipal Code shall be amended to read as follows:

4. A non-open or solid fence up to six feet in height above grade may be installed along property lines which do not abut a road or street, or beyond setback lines as required by the zone when the property line abuts a road or street. A non-open or solid fence not exceeding four feet in height above grade may extend into the front yard setback area; and wrought iron and/or chain link fences up to six feet in height above grade may extend into the front yard setback area. No fences shall be installed within public ~~or private~~ rights-of-way ~~or access easements~~. Exclusive of the front yard setback area, fences to a maximum height of eight feet above grade subject to procurement of town building permit issuance may be installed around recycling processing facilities, a wastewater treatment/disposal utility facility, and/or legally established facilities that provide either scrap and salvage services or general vehicle/equipment storage or vehicle impoundment service.

**SECTION 3.** A new subsection 6 shall be added to Section 17.06.600 [Yard and Building/Structure Setback Regulations] of the Paradise Municipal Code to read as follows:

6. No fence shall be installed within a private roadway easement unless all persons who have a legal right to use such private roadway easement have, in writing, consented to its installation.

## MEMORANDUM

**TO:** Paradise Planning Commission

**FROM:** Craig Baker, Community Development Director

**SUBJECT:** Preparation of an Annual Report to the Town Council Regarding Present Status of the 1994 Paradise General Plan and Progress Toward its Implementation (2013 Calendar Year).

**DATE:** May14, 2014

**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 the 1994 Paradise General Plan was adopted, staff has developed and the Planning Commission has 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 2013 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 bolded **thus**.

In order for the proposed report to be meaningful, you will 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](http://townofparadise.com)).

**COMMISSION ACTION REQUESTED:** Be prepared to publicly discuss this matter and to adopt a motion to forward the 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 that are desired by a majority of Planning Commissioners.

Attachment

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**CALENDAR YEAR 2013**

**1994 PARADISE GENERAL PLAN**

**IMPLEMENTATION STATUS REPORT**

**Presented by  
Paradise Planning Commission**

**May 2013**

REPORT OF THE PLANNING COMMISSION

1994 PARADISE GENERAL PLAN  
IMPLEMENTATION STATUS REPORT

FOR CALENDAR YEAR 2013

LAND USE ELEMENT:

GROWTH AND LAND USE DEVELOPMENT:

<u>Policy/ Implementation Measure</u>	<u>Text Page</u>	<u>Implementation Status</u>
LUP-1	(6-3)	Implemented and ongoing.
LUP-2	(6-3)	Implemented and ongoing.
LUP-3	(6-3)	Implementation ongoing as opportunity so afforded.
LUP-4	(6-3)	Not yet implemented. Private work effort was initiated in 2006 for a portion of the secondary planning area south of town limits, but has slowed due to funding and staffing shortages. New Butte County General Plan adopted October 2010 includes directive to develop a specific plan for a portion of this area, for which the Town will provide input.
LUP-5	(6-3)	Implemented.
LUP-6	(6-3)	<b>Not implemented due to lack of necessity and direction.</b>
LUP-7	(6-3)	Implemented and ongoing.
LUP-8	(6-3)	Required by law; implemented and ongoing.
LUP-9	(6-3)	Implemented and ongoing.
LUP-10	(6-3)	Ongoing directive; implemented as opportunities arise.
LUP-11	(6-3)	Implemented and ongoing.
LUI-1	(6-4)	Implemented and ongoing.
LUI-2	(6-4)	Not implemented. See LUP-4, above.
LUI-3	(6-4)	Largely implemented via Town adoption of the 2010 California Green Building Standards Code.
LUI-4	(6-4)	Fully implemented (1997).

**PUBLIC SERVICES AND INFRASTRUCTURE:**

- LUP-12; 13; 14 (6-4) Implemented via planning process reforms; an ongoing directive.
- LUP-15 (6-5) Implemented and an ongoing directive.
- LUP-16 (6-5) Implemented and ongoing.
- LUP-17 (6-5) Partially implemented and ongoing as opportunities arise.
- LUP-18 (6-5) The last joint Town Council/P.I.D. meeting was held on May 30, 2006. **However, the Town/PID Liaison Committee met on February 14, 2014 to publicly discuss several current issues of import to the Town including drought conditions, fire hazards, the new PID Corp Yard and Town road standards .**
  
- LUP-19 (6-5) Implemented and ongoing.
- LUP-20 (6-5) Implemented and ongoing.
- LUP-21 (6-5) Partially implemented, ongoing as needed.
- LUP-22 (6-5) Partially implemented via the Town’s development impact fee program.
  
- LUP-23 (6-5) Implemented and an ongoing directive.
- LUP-24 (6-5) The development of feasibility studies has been tabled by the Town Council pending adequate funding and other factors.
  
- LUP-25 (6-5) Fully implemented.
- LUP-26 (6-6) Implemented and ongoing.
- LUI-5 (6-6) Implemented. The Town successfully developed and adopted a 5-year capital improvements program in the summer of 2011.
- LUI-6 thru 13 (6-6) Partially implemented and ongoing.

**LAND USE DISTRIBUTION AND LOCATION**

- LUP-27; LUP-28 (6-7) Implemented via Town Council adoption of Town Resolution No. 01-37 in November, 2001.
- LUP-29 (6-7) Implemented and ongoing.
- LUP-30 (6-7) Ongoing Directive. A number of pedestrian, park, signal and other infrastructure improvement projects completed within downtown and former RDA areas in recent years. Construction of an additional Park & Ride facility was completed in 2011 and new signal, street improvements and striping were completed in Summer 2013 along Pearson Road between Black Olive Drive and Clark Road. A Downtown Traffic Safety Project may begin as early as August 2014, subject to Town Council approval in May**

**2014.**

- LUP-31 (6-7) Partially implemented and ongoing as opportunities arise.
- LUP-32 (6-7) Ongoing directive.
- LUP-33; 34; 35 (6-8) Ongoing directive.
- LUP-36 (6-8) Town efforts to acquire/develop additional business or industrial park property continue as opportunities arise.
- LUP-37; 38 (6-8) Implemented.
- LUP-39 (6-8) Ongoing directive and implemented.
- LUP-40; 41 (6-8) Ongoing directive.
- LUP-42; 43; 44 (6-8) Implemented.
  
- LUI-14; 15; 16 (6-8) Implemented.
- LUI-17 (6-8) Implemented. See comment for LUI-5.
- LUI-18 (6-8) Largely implemented via adoption of town-wide design standards in March, 2010.

**LAND USE DENSITIES**

- LUP-45 (6-9) Ongoing directive.
- LUP-46 (6-9) Partially implemented and ongoing.
- LUP-47 (6-9) Ongoing implementation.
- LUP-48 (6-9) Partially implemented and ongoing.
- LUP-49 (6-9) Ongoing directive, implemented as opportunities are afforded.
- LUP-50 (6-9) Ongoing directive and partially implemented.
  
- LUI-19 (6-9) Implemented and ongoing directive.
- LUI-20 (6-9) Implemented and ongoing.
- LUI-21 (6-9) Implemented.
- LUI-22 (6-9) Implemented and ongoing.

**ECONOMIC DEVELOPMENT/REDEVELOPMENT**

- LUP-51 (6-10) Partially implemented; target industry study completed. Additional implementation as new opportunities arise.
- LUP-52 (6-10) Ongoing directive, however, dissolution of RDA has eliminated a primary funding source for the façade renovation program, which targets reuse of existing buildings.
- LUP-53, 54 (6-11) Implemented. Town-wide Design Standards are adopted. Various

PMC sign regulation changes adopted in 2010 have assisted as well.

- LUP-55 (6-11) Implemented and ongoing.
- LUP-56 (6-11) Ongoing directive; implemented.
- LUP-57 (6-11) Chamber of Commerce and the Paradise Art Association continue to sponsor cultural events.
- LUP-58 (6-11) Ongoing directive; partially implemented.
- LUP-59 (6-11) Ongoing directive.
- LUP-60 (6-11) Implemented via PMC zoning code text amendments and adoption of design standards in 2010.
- LUP-61 (6-11) Ongoing directive.
- LUP-62; 63 (6-11) Ongoing and partially implemented.
- LUP-64 (6-11) This directive is implemented via Town’s zoning regulations.
- LUP-65 (6-11) Ongoing directive.
- LUP-66 (6-11) Plan is adopted and implementation is promoted via 2010 adoption of Design Standards.
- LUP-67 (6-12) Partially implemented. See LUP-51.
  
- LUI-23 (6-12) Functionally Implemented. “Main Street” concepts/components are incorporated within the adopted Downtown Revitalization Plan and the 2010 Design Standards.
- LUI-24; 25 (6-12) Ongoing implementation.
- LUI-26 (6-12) Implemented.
- LUI-27 (6-12) Implemented.
- LUI-28;29 (6-12) Implemented.
- LUI-30 (6-12) Implemented via adoption of scenic highway corridor zoning regulations and 2010 adoption of Design Standards specific to gateway areas.
- LUI-31 (6-12) Partially implemented as opportunities arise.
- LUI-32 (6-12) Partially implemented; private efforts have assisted.
- LUI-33 (6-12) Ongoing directive and implemented.
- LUI-34 (6-12) Implemented.
- LUI-35 (6-12) Implementation ongoing.
- LUI-36 (6-12) Ongoing directive as part of the Downtown Revitalization Master Plan.
- LUI-37 (6-12) Implemented and ongoing as funds permit.
- LUI-38 (6-12) Partially implemented (see LUI-37).
- LUI-39 (6-13) Ongoing directive.

## **INTERGOVERNMENTAL COORDINATION**

LUP-68; 69; 70; 71 (6-13) Ongoing and partially implemented as opportunities are afforded.

LUI-40; 41; 42 (6-13) Ongoing and partially implemented as opportunities are afforded.

## LAND USE CONTROLS

LUP-72 (6-14) Ongoing directive.

LUP-73 (6-14) Implemented and ongoing as opportunities are afforded.

**LUP-74 (6-14) Implemented, though economic conditions affecting General Fund revenues resulted in a reduction in Code Enforcement staff at the end of 2010. Recently, the Town Council indicated its support of the program and its current staffing level (one 40 hour/week officer who also assists with building inspections).**

LUP-75 (6-14) Ongoing and implemented.

LUP-76 (6-14) Implemented.

LUI-43; 44 (6-14) Implemented and ongoing.

LUI-45 (6-14) Implemented and ongoing.

## TERTIARY PLANNING AREA

LUP-77; 78; 79 (6-15) Partially implemented and ongoing directive.

LUP-80; 81; 82 (6-15) Partially implemented and ongoing as opportunities are afforded.

LUI-46; 47 (6-15) Implemented and ongoing. Town staff provided input for the new Butte County General Plan adopted in October, 2010.

LUI-48; 49 (6-15) Partially implemented.

## CIRCULATION ELEMENT:

CP-1 (6-18) Partially implemented and ongoing.

CP-2 (6-18) Circulation problems have been formally prioritized for elimination as funding permits via BCAG adoption of Regional Transportation Plan.

CP-3 (6-18) Ongoing directive and implemented.

CP-4 (6-19) Ongoing and implemented on case by case basis.

- CP-5 (6-19) 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) Ongoing directive with little progress due to limited opportunities, constraints.
- CP-7 (6-19) Not yet implemented. **However, the Downtown Traffic Safety Project Scheduled for Town Council consideration in May 2014 would synchronize traffic signals from Elliott Road to Neal Road along Skyway.**
- CP-8 (6-19) Implemented and ongoing.
- CP-9 (6-19) Ongoing, partially implemented and in process.
- CP-10 (6-19) Ongoing directive. Pearson, Foster Roads sidewalk improvements completed. **Additional Pearson Road improvements/signalization at Recreation Drive were completed in Summer 2013.**
- CP-11 (6-19) Ongoing directive; partially implemented. A Master Bicycle and Pedestrian Plan is adopted and current through March, 2017. **Pearson Road improvements Completed in Summer of 2013 have completed Class 2 bicycle lanes on both sides of Pearson Road between Academy Drive to Clark Road. If approved and completed, the Downtown Traffic Safety project would further implementation.**
- CP-12 (6-19) Implemented. Butte County and the Town have adopted compatible road standards for the Town's Sphere of Influence.
- CP-13 (6-19) Partially implemented and ongoing.
- CP-14 (6-19) Ongoing directive; partially implemented via Paradise Express service.
- CP-15 (6-19) Consolidation of County-wide transit services has helped promote implementation.
- CP-16 (6-19) 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) Ongoing and partially implemented.
- CP-18 (6-20) Ongoing and partially implemented.
- CP-19 (6-20) Partially implemented. The component regarding children has not been implemented due to lack of available funding.
- CP-20 (6-20) Not being implemented due to lack of resources and staff.
- CI-1 (6-20) Ongoing directive.
- CI-2 (6-20) Not being implemented due to lack of resources, staff and opportunities.
- CI-3 (6-20) Implemented and ongoing.

- CI-4; 5; 6 (6-20) Ongoing and partially implemented.
- CI-7 (6-20) Ongoing directive; partially implemented by covenant agreements.
- CI-8 (6-20) Ongoing implementation continuing via various small scale public infrastructure projects.
- CI-9 (6-20) Ongoing directive.
- CI-10 (6-21) Ongoing implementation as funds permit.
- CI-11 (6-21) Refer to comment for CP-5.

**HOUSING ELEMENT:**

**NOTE:** A separate report detailing implementation of the Town of Paradise Housing Element was reviewed by the Planning Commission on February 10, 2013 and accepted by the Town Council on March 11, 2014. 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 thru NP-7 (6-33) Ongoing implementation as needed.
- NP-8 (6-33) Ongoing directive.
- NP-9 (6-33) Ongoing implementation in accordance with noise regulations of Paradise Municipal Code.
- NP-10 (6-34) Ongoing implementation as needed.
- NI-1; 2 (6-34) Ongoing implementation as needed.
- NI-3 (6-34) Implemented and ongoing.
- NI-4; 5 (6-34) Ongoing implementation as required.
- NI-6 (6-34) Implemented and ongoing.
- NI-7 (6-34) Implemented.

**SAFETY ELEMENT:**

- SP-1 (6-41) Ongoing implementation as needed.
- SP-2 (6-42) Ongoing implementation as needed.
- SP-3 (6-42) Implemented and ongoing.
- SP-4 (6-42) Ongoing implementation at staff level. See note for LUP-6.



- SP-5; 6; 7 (6-42) Implemented and ongoing.
- SP-8 (6-42) Ongoing directive.
- SP-9 (6-42) Implemented and ongoing.
- SP-10; 11; 12 (6-42) Implemented and ongoing.
- SP-13 (6-42) Ongoing implementation as needed.
- SP-14 (6-42) Ongoing implementation via regulatory efforts of the Town's Onsite Sanitation Division, the County Dept. of Public Health Services and RWQCB.
- SP-15; 16; 17 (6-43) Ongoing implementation as needed.
  
- SI-1 (6-43) Implemented and ongoing.
- SI-2 (6-43) Ongoing directive.
- SI-3 (6-43) Implemented and ongoing.
- SI-4 (6-43) Not implemented at this time due to legal (Prop.218) constraints.
- SI-5; 6; 7 (6-43) Implemented and ongoing.
- SI-8 (6-43) Ongoing and partially implemented.
- SI-9 (6-43) Ongoing as opportunities arise and funding sources become available.
- SI-10 (6-43) Implemented.
- SI-11 (6-43) Ongoing implementation as needed.
  
- SP-18; 19 (6-45) Functionally implemented and ongoing as a result of establishment and successful operation of the Town's HHW facility.
- SP-20; 21; 22 (6-45) Ongoing. See County Hazardous Waste Management Plan.
- SP-23; 24 (6-45) Implemented.
  
- SI-12 thru SI-19 (6-46) Ongoing implementation as needed.
- SI-20; 21; 22 (6-46) Ongoing and implemented.

**OPEN SPACE/CONSERVATION ELEMENT:**

- OCEP-1 (6-49) Implemented.
- OCEP-2; 3; 4 (6-49) Implemented and ongoing.
- OCEP-5; 6 (6-49) Ongoing implementation as needed.
  
- OCEI-1 (6-50) Implemented via Town adoption of scenic highway zoning regulations.
- OCEI-2 (6-50) Implemented as needed.
- OCEI-3 (6-50) Implemented and ongoing.
  
- OCEP-7 (6-51) Partially implemented, ongoing directive.

OCEP-8	(6-51) Ongoing and partially implemented as needed; Memorial Trailway extension completed in 2010 indicates progress.
OCEP-9	(6-51) Implemented. Butte County has completed the first phase of significant public access improvements for Lookout Point.
OCEP-10	(6-51) Partially implemented and ongoing via Paradise Memorial Trailway Plan.
OCEP-11	(6-51) Implemented and ongoing.
OCEP-12	(6-51) Ongoing directive.
OCEI-4;	(6-51) The PRPD adopted a revised and updated 15 year District Master Plan during 2010 that will assist in implementation of this directive.
<b>OCEI-5</b>	(6-51) Implemented and ongoing. Recent Terry Ashe Recreation Center facilities improvements assisted and additional improvements are planned.
OCEI-6	(6-51) Not implemented due to lack of necessity and direction.
OCEI-7	(6-51) Partially implemented as an ongoing directive.
OCEP-13	(6-52) Ongoing directive.
OCEP-14; 15; 16	(6-52) Partially implemented and ongoing.
OCEP-17	(6-52) Ongoing directive.
OCEP-18; 19; 20; 21	(6-53) Ongoing and partially implemented.
OCEP-22	(6-53) Partially implemented and ongoing.
OCEP-23	(6-53) Implemented and ongoing.
OCEP-24; 25	(6-53) Implemented and ongoing.
OCEP-26	(6-53) Partially implemented and ongoing via case by case analysis.
OCEP-27	(6-53) Implemented and ongoing.
OCEP-28	(6-53) Partially implemented and ongoing. Adoption of 2010 California Green Building Standards Code has assisted.
OCEP-29	(6-53) Ongoing directive.
OCEP-30	(6-53) Partially implemented and ongoing.
OCEP-31	(6-53) Ongoing partial implementation.
OCEP-32	(6-53) Implemented and ongoing.
OCEP-33	(6-54) Implemented.
OCEP-34; 35	(6-54) Implemented/ongoing via execution of a solid waste franchise agreement with NRWS.
OCEP-36	(6-54) Implemented and ongoing.
OCEI-8	(6-54) Implemented and ongoing.
OCEI-9	(6-54) Implemented and ongoing.
OCEI-10	(6-54) Implemented and ongoing via RWQCB and the Town's

Wastewater Management District.

- OCEI-11 (6-54) Partially implemented and ongoing as opportunity affords itself.
- OCEI-12 (6-54) Largely implemented via tree ordinance regulations.
- OCEI-13 (6-54) Ongoing directive.
- OCEI-14 (6-54) Implemented and ongoing.
- OCEI-15 (6-54) Partially implemented and ongoing.
- OCEI-16 (6-54) Not implemented; lack of funding.
- OCEI-17 (6-54) Not implemented; lack of local opportunities.
- OCEI-18 (6-55) Implemented and ongoing directive.
- OCEI-19; 20 (6-55) Implemented and ongoing.
- OCEI-21; 22; 23; 24 (6-55) Implemented and ongoing. See comments for OCEP-34; 35 and SP-18; 19.
  
- OCEI-25 (6-55) Progress toward implementation has been achieved; Town Council has adopted regulations resulting in a reduction in leaf burning.
  
- OCEI-26 (6-55) Partial implementation and ongoing. See note for LUP-6.
- OCEI-27 (6-55) Implemented and ongoing.
  
- OCEP-37 (6-56) Not implemented; Opportunities for implementation have not been available.
- OCEP-38 (6-56) Implemented.
- OCEP-39 (6-56) Ongoing directive.
- OCEP-40 (6-56) Implemented by Town-wide Design Standards adopted in 2010.
- OCEP-41 (6-57) Implemented and ongoing.
- OCEP-42 (6-57) Ongoing and partially implemented on a case by case basis.
- OCEP-43 (6-57) Limited implementation due to lack of resources, staff, etc.
  
- OCEI-28 (6-57) Partially implemented and ongoing.
- OCEI-29 (6-57) Not fully implemented, though adoption of 2010 Green Building Standards Code has assisted.
- OCEI-30 (6-57) Ongoing directive.

**EDUCATION AND SOCIAL SERVICES ELEMENT:**

**SOCIAL SERVICES ELEMENT - (Education and Schools)**

- ESP-1 thru ESP-7 (6-59) Ongoing directives; implemented as opportunities arise.
- ESP-8 (6-60) Ongoing directive.
- ESP-9; 10 (6-60) Implemented and ongoing.

ESI-1	(6-60) Implemented and ongoing.
ESI-2; 3; 4	(6-60) Ongoing directives implemented as opportunities arise.
ESI-5	(6-61) Not implemented. <b>Local school enrollment levels do not appear to warrant implementation at this time.</b>
ESI-6	(6-61) Not implemented; prohibited by California State law.

**SOCIAL SERVICES ELEMENT - (Senior Services):**

ESP-11; 12; 13	(6-62) Partially implemented and ongoing.
ESP-14; 15; 16	(6-62) Partially implemented and ongoing.
ESI-7	(6-62) Partially implemented and ongoing but no formally established liaison.
ESI-8; 9	(6-62) Implemented.
ESI-10	(6-62) Partially implemented via federally funded Town housing programs.

**SOCIAL SERVICES ELEMENT - (Child Day Care):**

ESP-17; 18; 19	(6-63) Implemented.
ESI-11	(6-63) Implemented.

**SOCIAL SERVICES ELEMENT - (The Arts)**

ESP-20	(6-64) Partially implemented and ongoing as opportunities are afforded.
ESP-21	(6-64) Implemented and ongoing.
ESP-22	(6-64) Implementation ongoing.
ESP-23	(6-64) Partially implemented and ongoing.
ESI-12	(6-64) Partially implemented.
ESI-13	(6-64) Not being implemented by local government efforts but via private sector (Paradise Ridge Chamber, etc.).
ESI-14	(6-64) Partially implemented and ongoing.
ESP-24	(6-65) Limited implementation effort.

ESP-25 (6-65) Not implemented. Such opportunities have yet to materialize.  
ESP-26 (6-65) Limited implementation effort.

**SOCIAL SERVICES ELEMENT - (Library Services)**

ESI-15 (6-65) Limited implementation effort.  
ESI-16 (6-65) Not implemented. No advocacy nor demand for implementation currently exists.

**SOCIAL SERVICES ELEMENT - (Activities for Teenagers):**

ESP-27; 28 (6-66) Implemented and ongoing. Boys and Girls Club, PRPD programs/activities contribute greatly.  
ESP-29 (6-66) Limited implementation as opportunities are afforded.  
ESI-17; 18 (6-66) Implemented as the opportunity arises.  
ESI-19 (6-66) Limited implementation.

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