

# B

## Town of Paradise 1994 General Plan Resolution and Amendments

## INDEX GENERAL PLAN AMENDMENTS

RESOLUTION NUMBER	DATE ADOPTED	TYPE OF AMENDMENT	APPLICANT	AMENDMENT NUMBERS
RES. 82-22	04-07-82	RESOLUTION ADOPTING THE GENERAL PLAN	TOWN OF PARADISE	N/A
RES. 82-40	08-18-82	LAND USE MAP	TOWN OF PARADISE	UNKNOWN
RES. 83-16	04-05-83	LAND USE MAP	TOWN OF PARADISE	GPA-03-82(b), GPA-01-83, GPA-03-83, GPA-04-83
RES. 83-55	12-06-83	LAND USE MAP	ANDY MITAL AND OTHERS	GPA-12-83
RES. 84-38	08-21-84	LAND USE MAP	TOWN OF PARADISE	GPA-04-84
RES. 85-02	01-02-85	LAND USE MAP	TOWN OF PARADISE	GPA-05-84
RES. 85-56	12-10-85	LAND USE MAP	TOWN OF PARADISE	GPA-01-85, GPA-02-85, GPA-03-85A, GPA-03-85B, GPA-03-85C, GPA-03-85D, GPA-04-85, GPA-05-85
RES. 87-20	05-19-87	LAND USE MAP	TOWN OF PARADISE	GPA-01-87, GPA-02-87, GPA-03-87, GPA-04-87
RES. 90-23	06-16-90	LAND USE MAP	CLIFFORD LARSEN	GPA/RZ-09-89
RES. 91-09	05-21-91	LAND USE MAP	JOHANN KLEMPA KAROLY KASZA	GPA/RZ-04-90 GPA/RZ-03-90
RES. 92-07	04-07-92	LAND USE MAP	TEN SEVENTY CORP.	GPA/RZ-01-91
RES. 94-42	10-04-94	ADOPTION OF GENERAL PLAN	TOWN OF PARADISE	N/A
RES. 95-28	11-21-95	LAND USE MAP	OUR SAVIOR LUTHERAN CHURCH and OTHERS	GA-95-001
RES. 96-05	05-07-96	LAND USE MAP	YOUNGBLOOD ET. AL. JUBILEE ON THE RIDGE ET. AL. RICK SOUZA ET AL	GA-96-001 GA-96-002 GA-96-002

## INDEX GENERAL PLAN AMENDMENTS

RESOLUTION NUMBER	DATE ADOPTED	TYPE OF AMENDMENT	APPLICANT	AMENDMENT NUMBERS
RES. 97-07	03-04-97	LAND USE MAP	DWIGHT and BONNIE MILLER	GA-96-003
RES. 97-24	10-07-97	LAND USE MAP	ROMAN CATHOLIC BISHOP OF CA	GA-97-001 and GR-96-001
RES. 98-25	09-15-98	HOUSING ELEMENT	TOWN OF PARADISE	GA-98-0001
RES. 99-10	04-06-99	LAND USE MAP	LARRY KNIFONG	GR-99-001
RES. 00-15	05-23-00	LAND USE MAP and SAFETY ELEMENTS	TOWN OF PARADISE	GA-00-001
RES. 01-07	02-27-01	LAND USE MAP	DREW SYPHERD	GR-00-002 and GR-00-005
RES. 01-11	04-10-01	LAND USE MAP	FRANK FILER	GR-00-004
RES. 01-31	09-25-01	LAND USE MAP	ROBERT WOODWORTH	GR-01-001
RES. 01-37	11-27-01	LAND USE MAP	TOWN OF PARADISE	GR-01-04
RES. 02-22	05-14-02	LAND USE MAP	LARRY KNIFONG	GR-01-05
RES. 02-66	12-10-02	LAND USE MAP	PARADISE CEMETERY DISTRICT	GR-02-01
RES. 03-28	06-10-03	LAND USE MAP	PATRICK CORRIGAN	GR-02-03
RES. 04-07	02-10-04	LAND USE MAP	MORRIS, ANDERS, SELKO/ TOWN OF PARADISE	GR-03-05
RES. 04-23	06-03-04	LAND USE MAP	FHK COMPANIES	GR-01-02
RES. 05-03	01-11-05	LAND USE MAP	CREW	GR-04-03 and GR-04
RES. 05-20	06-28-05	LAND USE MAP	FEATHER RIVER HOSPITAL SWANLUND	GR-05-02 GR-05-04
RES. 05-34	09-27-05	LAND USE MAP	BRANDI WYMAN	GR-04-05 and GR-05-01
RES. 05-35	09-27-05	HOUSING ELEMENT	TOWN OF PARADISE	GA-03-04

## INDEX GENERAL PLAN AMENDMENTS

RESOLUTION NUMBER	DATE ADOPTED	TYPE OF AMENDMENT	APPLICANT	AMENDMENT NUMBERS
RES. 05-50	12-13-05	CIRCULATION DIAGRAM OF THE CIRCULATION ELEMENT	TOWN OF PARADISE	GA-05-01
RES. 06-08	03-28-06	LAND USE MAP	GALLI / DEROMEDI TURMAN	GR-05-05 GR-05-06
RES. 06-52	10-24-06	AMENDMENT TO LUP-47 OF THE LAND USE ELEMENT	TOWN OF PARADISE	GA-06-01
RES. 07-06	02-13-07	HOUSING ELEMENT	TOWN OF PARADISE	GA-06-02
RES. 07-12	05-08-07	LAND USE MAP and LAND USE ELEMENT	BARKLEY TOWN OF PARADISE	GA-06-01 GA-07-03
RES. 07-22	07-10-07	LAND USE MAP	TOWN OF PARADISE	GR-04-02
RES. 07-43	10-23-07	LAND USE MAP	FRATERNAL ORDER OF EAGLES	GR-07-001
RES. 08-04	01-08-08	IMPLEMENTATION MEASURE OCEI-3 OF THE OPEN SPACE / CONSERVATION ELEMENT	TOWN OF PARADISE	GA-07-04
RES. 08-20	05-13-08	LAND USE MAP	SONNTAG	GR-08-01
RES. 08-23	05-13-08	LAND USE MAP	NIBLETT	GR-07-02
RES. 08-46	08-12-08	LAND USE MAP	RICKARDS-ANDERSON	GR-07-05
RES. 08-58	10-28-08	LAND USE MAP	MCGREGOR	GR-08-02
RES. 09-05	01-27-09	LAND USE MAP	SONNTAG TOWN OF PARADISE	GR-08-06 GR-08-07
RES. 09-67	12-08-09	HOUSING ELEMENT TO BE CONSISTENT WITH THE RHNP and CURRENT STATE LAW	TOWN OF PARADISE	N/A
RES. 10-27	08-10-10	AMENDMENT TO LUO-22(a) OF THE LAND USE ELEMENT	TOWN OF PARADISE	N/A

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RES. 10-34	09-14-10	LAND USE MAP	FEATHER RIVER HOSPITAL AND RINEHART	PL10-00260-FRH PL10-00194 Rinehart
RES. 12-29	08-07-12	LAND USE MAP	GRAND SIERRA LODGE	PL12-00075
RES. 13-58	12-10-13	LAND USE MAP	GILKEY	PL12-00020
RES. 14-22	06-10-14	HOUSING ELEMENT 2014	TOWN OF PARADISE	N/A
RES. 18-23	07-10-18	LAND USE MAP	BALASEK	PL18-00063
RES. 18-38	09-11-18	LAND USE MAP	SONNTAG	PL18-00151
RES. 19-43	12-20-19	LAND USE MAP	MCAFEE	PL19-00227
RES. 20-45	12-08-20	LAND USE MAP	PUSD	PL20-00261

## MEMORANDUM

**AGENDA NO:** 6(a)

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

**TO:** Lauren Gill, Interim Town Manager  
Dwight Moore, Town Attorney

**DATE:** August 12, 2013

**SUBJECT:** Consideration of a Resolution Document Finding that the 1994 Paradise General Plan Substantially Complies With the Statutory Mandates of Government Code Section 65302

**COMMISSION ACTION REQUESTED:** Adopt Resolution No. 13-04, "A Resolution of the Town of Paradise Planning Commission Finding the 1994 Paradise General Plan Substantially Complies with the Statutory Mandates Under Government Code Section 65302."

**BACKGROUND:** The general plan is at the top of a city or county's land use regulation hierarchy. Each California city and county is required to have a comprehensive, long-term general plan that includes specific mandatory elements which set forth the objectives, policies, principals, standards and plan proposals for the physical development of the city or county. Pursuant to Government Code section 65302, each general plan must include the following elements:

- Land Use
- Circulation
- Housing
- Conservation
- Open Space
- Noise
- Safety

The 1994 Paradise General Plan was adopted by the Paradise Town Council on October 4, 1994. The process of developing the new, revised plan took approximately four years of work by the Town's hired consultant, five separate citizen subcommittees, the Planning Commission, the Town Council and Town staff. The document is the third general plan adopted by the Town since its incorporation in 1979 and is organized into three separate volumes: Volume I – Policy Document, Volume II - Environmental Impact Report and Volume III – Environmental Setting. Volume I, the Policy Document, contains a comprehensive assemblage of all mandatory general plan elements and an additional, non-mandatory Education and Social Services element. The 1994 plan was intended to chart and direct future land use decision making for the Town of Paradise over a fifteen year period to October, 2009.

With the exception of the Housing Element, no comprehensive updates have been completed since the plan's adoption in 1994, although the Town has adopted ten focused text amendments and twenty-six individual General Plan Land Use Map amendments since then. Pursuant to

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Government Code section 65588(b) the Housing Element is required to be updated every five years. The 1994 Paradise General Plan Housing Element was last revised in 2009 and is not due for another revision until June 30, 2014. Town staff is currently developing a request for proposals (RFP) for the purpose of selecting a consultant to assist in that work effort.

Government Code section 65400 requires every local planning agency to annually review and provide a report to the local legislative body (Town Council) concerning progress achieved toward the implementation of its general plan and a separate review and report specifically concerning progress toward the implementation of its general Housing Element. Town staff has developed these reports on an annual basis for review by the Planning Commission, acceptance by the Town Council and submittal to the California Department of Housing and Community Development as required by section 65400. In addition, Government Code section 65103(a) requires the Town Planning Commission to periodically review and revise the general plan, as necessary.

## **ANALYSIS**

Government Code statutes associated with the requirements for a legally adequate general plan do not provide a mandatory minimum timeframe for revision of elements, except for the housing element. In order to be found to be legally adequate, a general plan must first be complete. As discussed previously, the 1994 Paradise General Plan is comprised of all seven required general plan elements and is therefore complete from that perspective.

Secondly, general plans must be internally consistent. That is, all elements must be integrated and compatible. The generation of annual implementation status reports not only satisfies a State requirement for tracking implementation, but also provides the Town with a periodic opportunity to examine the document for inconsistencies or conflicts. The latest annual reports for 2013 not only failed to identify any notable inconsistencies or conflicting policy directives, objectives or implementation measures, Town staff was also able to conclude that, despite periodic and at times chronic funding and staffing shortages, the 1994 Paradise General Plan continues to be increasingly implemented.

Although the Town does collect a 12% surcharge on most building, planning and wastewater permits to be used for updating the general plan, the fund balance is not currently sufficient at this time. However, there is sufficient funding from this source to complete the required housing element update.

Included within the various findings necessary to be made by a planning agency when approving a development project is a finding that the project is compatible with the objectives, policies, general land uses and programs specified in the agency's general plan.

A planning agency's general plan should be a reflection of the character of the community for which it was prepared and adopted. The Town of Paradise still bears substantial similarity to the community that existed here in 1994, and perhaps before. There have been no significant annexations since the general plan was adopted. The Town boundary is essentially the same as

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in 1994 and, in fact, bears a remarkable resemblance to the 1994 boundary of the Paradise Irrigation District. Based upon U.S. Census data, the Town's population increased by only 3% between 1990 and 2010 (Interestingly, the 1994 Paradise General Plan predicted that the Town's population would increase by approximately 20% by the year 2008). There is still no large-scale wastewater disposal system serving the community. Since 1989, traffic counts have remained fairly static in most areas but show a general decline from 2003 to 2010 over the last ten years (Butte County Association of Governments). These observations lend support to the notion that the Paradise community has not changed to any great degree in terms of its character, environmental setting and function since 1994 and that the Town's current general plan can still be found to be adequate as a document to guide the future development of the community.

**CONCLUSION AND RECOMMENDATION**

It is the position of the Town Planning Director and the Town Attorney that based upon the circumstances outline within the preceding discussion, the 1994 General Plan is not outdated or legally inadequate. In consideration of this finding, the attached Planning Commission Resolution No. 13.04 has been prepared for your consideration and recommended adoption. Planning Commission adoption of the resolution document is intended to formally affirm the relevance and adequacy of the 1994 Paradise General Plan. Please be prepared to discuss this matter with staff and other Planning Commission members. Town Attorney Dwight Moore will be in attendance at the meeting to provide guidance and assistance and to answer questions that may arise during the discussion.





## TOWN COUNCIL Meeting Minutes

6:00 PM – April 12, 2022

### 1. OPENING

The Regular meeting of the Paradise Town Council was called to order by Mayor Crowder at 6:06 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California who led the Pledge of Allegiance to the Flag of the United States of America. An invocation was offered by Council Member Steve “Woody” Culleton.

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

**COUNCIL MEMBERS ABSENT:** None

**STAFF PRESENT:** Town Manager Kevin Phillips, Town Attorney Scott E. Huber, Town Clerk Dina Volenski, Town Engineer/Public Works Director Marc Mattox, Finance Director/Town Treasurer Ross Gilb, Community Development Director Susan Hartman, Community Development Director Tony Lindsey, Information Systems Director Luis Marquez, Business and Housing Manager Kate Anderson, Recovery and Economic Development Director Colette Curtis, Police Chief Eric Reinbold, Police Lieutenant Cameron Kovacs and Police Lieutenant Anthony Borgman.

- 1e. Mayor Crowder read the proclamation recognizing Congressman Doug LaMalfa, Senator Dianne Feinstein and Senator Alex Padilla for their assistance in securing funding to benefit the Paradise Police Department. (180-40-027)

Congressman LaMalfa accepted the Proclamation in person.

- 1f. Mayor Crowder read the Proclamation recognizing Jake Early for creating the new seal representing the Town of Paradise. (180-40-027)
- 1g. Camp Fire Recovery Updates - Written reports are included in the agenda packet.
  - Colette Curtis, Recovery and Economic Development Director - Recovery projects, Advocacy, Economic Recovery and Development, Communications and Emergency Operations.
  - Marc Mattox, Public Works Director/Town Engineer - Infrastructure and Sewer Update.
  - Tony Lindsey, CDD-Building and Code Enforcement Update.

### 2. CONSENT CALENDAR

**MOTION by Bolin, seconded by Culleton**, approved consent calendar items 2a through 2j with the addition to item 2j to include compensation of \$1,000 for each easement. Roll call vote was unanimous.

- 2a. Approved minutes of the March 8, 2022 Special and Regular Town Council meetings.
- 2b. Approved March 2022 Cash Disbursements in the amount of \$3,262,687.15. (310-10-034)
- 2c. Waived second reading of the entire Town Ordinance No. 615 and approved reading by title only; and, Adopted Town Ordinance No. 615, “An Ordinance Adding Section 9.70 to the Paradise Municipal Code Relating to Military Equipment Use.” (540-16-184)
  - 2d. 1. Concurred with staff’s recommendation of Northstar and Rolls Anderson Rolls to perform On Call Surveying Services for the Town’s survey needs to support Public Works and Development services; and, 2. Approved the Professional Services Agreement with Northstar Engineering and Rolls Anderson Rolls and authorized the Town Manager to execute a two-year contract, with three one-year optional extensions. (510-20-339 & 510-20-340)
- 2e. Approved Program Supplement Agreements for Emergency Relief projects to Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 03-5425F15:
  - PSA No. F028 for Project ER-38Y0(014) Emergency Opening Guardrail Repair (950-40-065)
  - PSA No. F029 for Project ER-38Y0(015) Emergency Opening Culvert Repair; and, (950-40-066)

Adopted Resolution No. 2022-17, A Resolution of the Town Council of the Town of Paradise authorizing the Town Manager, or designee, to sign the above listed Program Supplement Agreement to Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 03-5425F15.
- 2f. Authorized the Town Manager to enter into a three-year agreement for financial audit services with Richardson & Company, LLP. (510-20-341)
- 2g. Adopted Town of Paradise Resolution No. 2022-18, “Resolution of the Town Council of the Town of Paradise requesting extension of the Vehicle Abatement Program and associated fees and authorizing continued participation in a Service Authority for Abandoned Vehicle Abatement pursuant to California Vehicle Code section 9250.7 and 22710.” (540-15-012)
- 2h. Adopted Resolution No.22-19, A Resolution of the Town Council of the Town of Paradise approving the plans and specifications for the Off-

System Culvert Replacement Project and authorizing advertisement for bids on the project. (950-40-060 & 910-30-004)

- 2i. Adopted Resolution No. 2022-20, A Resolution of the Town Council of the Town of Paradise accepting Contract No. 9380.CON, Ponderosa Elementary Safe Routes to School Project, performed by All-American Construction, Inc., Live Oak, CA. (950-40-032 & 510-20-299)
- 2j. Adopted Resolution No. 2022-21, A Resolution of the Town Council of the Town of Paradise authorizing a permanent easement at 6225 and 6295 Skyway to Pacific Gas and Electric Company with compensation of \$1,000 for each easement. (950-90-004, 850-20-011)

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

### **4. PUBLIC COMMUNICATION**

1. Ed Schilling would like to see the Bike Path beautified and thinks the Town should have its own sewer plant, doesn't think the connection to Chico makes sense.
2. Jon Remalia would like to see the Planning Commissioners page on the Town Website updated.

### **5. PUBLIC HEARINGS**

5a. Business and Housing Manager Kate Anderson provided the Town Council with an overview of the Draft 2022-2023 Annual Action Plan and requested Council to conduct the second public hearing to solicit comments and/or suggestions regarding the Draft 2022-2023 Annual Action Plan; and, Adopt the Draft 2022-2023 Annual Action Plan as submitted; or, Revise the Draft 2022-2023 Annual Action Plan as submitted; and, Authorize staff to submit the adopted 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development should no public comment be received.

Mayor Crowder opened the public hearing at 6:43 p.m.

There were no public comments.

Mayor Crowder closed the public hearing at 6:44 p.m.

**MOTION by Jones, seconded by Bolin**, adopted the Draft 2022-2023 Annual Action Plan as submitted and authorized staff to submit the adopted 2022-2023 Annual Action Plan to the U.S. Department of Housing and Urban Development since there were no public comments. Roll call vote was unanimous. (710-10-100)

- 5b. Community Development Director Susan Hartman provided the Town Council with an overview of the Updated Design Standards for the Downtown and Clark Road/Community Commercial Development Areas and Rescinding the Greater RDA Project Area Design District Standards that no longer exist due to the dissolution of the RDA in 2012 and requested the Town Council to conduct the duly noticed and scheduled public hearing regarding the Updated Design Standards.

Mayor Crowder opened the public hearing at 7:01 p.m.

1. Jon Remalia thinks there's an issue if someone has a zero setback lot and they have to provide landscaping from the side they lose a lot of property.

Mayor Crowder closed the public hearing at 7:02 p.m.

**MOTION by Bolin, seconded by Jones**, concurred with the project "CEQA determination" finding presented and considered by the Planning Commission on March 15, 2022, and embodied within Planning Commission Resolution No. 2022-01; and, concurred with the project recommended adoption and zoning ordinance amendment adopted by the Planning Commission on March 15, 2022, and embodied within Planning Commission Resolution No. 2022-01; and, Adopted Town of Paradise Resolution No. 2022-22, "A Resolution of the Town Council of the Town of Paradise Adopting Updated Design Standards for the Downtown and Clark Road/Community Commercial Development Areas of the 2010 Design Standards and Rescinding the Greater RDA Project Area Design District Standards", and, waived the first reading of Town Ordinance No.616 and read by title only; and, Introduced Town of Paradise Ordinance No.616, "An Ordinance Amending Text Regulations with Paradise Municipal Code Chapter 17.41 [Design Standards and Design Review] Relative to Updated Adoption Dates". Roll call vote was unanimous. (710-80-012 & 540-16-185)

## 6. COUNCIL CONSIDERATION

- 6a. Chief Reinbold introduced Lieutenant Kovacs who provided Council with an overview of the proposed purchase of Body Worn Cameras, Vehicle Cameras and Data Management Products and Services for Bodyworn by Utility Associates. Lt. Kovacs introduced David Burns from Bodyworn by Utility Associates, Inc. who provided additional information to the Council about the products.

**MOTION by Crowder, seconded by Culleton**, adopted Resolution No. 2022-23, a Resolution of The Town Council of The Town of Paradise Making Findings Concerning Sole Vendor For The Purchase of Body Worn Cameras, Vehicle Cameras, and Data Management Products and Services from Bodyworn, by Utility Associates, Inc. Body Worn Cameras, Vehicle Cameras, and Data Management Products and Services from

Bodyworn, by Utility Associates, Inc. Pursuant To Paradise Municipal Code Sections 2.45.070B, 245.070C, and 245.070G. Roll call vote was unanimous. (480-35-002)

6b. **MOTION by Jones, seconded by Culleton**, authorized the Town Manager to enter into a contract with CDX Wireless for Project Management of the Town’s two-way radio system restoration. Roll call vote was unanimous. (480-35-002)

6c. **MOTION by Culleton, seconded by Jones**, authorized the Police Department to purchase three (3) 2022 or 2023 Chevrolet Tahoe PPV vehicles under California State Contract pricing through Elk Grove Auto / Winner Chevrolet; and, authorized the Police Department to purchase required upfit and emergency equipment from Lehr, under the existing, publicly bid, Placer County contract with Lehr Auto, to upfit the Tahoes into two (2) Patrol vehicles and one (1) K9 Patrol vehicle. Roll call vote was unanimous. (480-35-002)

6d. **MOTION by Jones, seconded by Crowder**, adopted Town of Paradise Resolution No. 2022-24, “A Resolution of the Town Council of the Town of Paradise Adopting CEQA Findings, Adopting the Town of Paradise’s Statement of Overriding Considerations, and Thereafter Approving Its Vehicle Miles Traveled Policies.” Roll call vote was unanimous. (720-10-002, 770-40-009)

6e. **MOTION by Bolin, seconded by Crowder** concurred with staff recommendation to award communication services contract to Blue Flamingo Marketing; and, authorized the Town Manager to execute a 3-year contract with Blue Flamingo Marketing. Roll call vote was unanimous. (510-20-234)

6f. Community Development Director Tony Lindsey provided the Town Council with and overview of the proposed Ordinance amending Section 8.58.080 of the Paradise Municipal Code relating to Defensible Space and Hazardous Fuel Management that would allow an issued Certificate of Compliance to remain valid for 90 days from the inspection date.

**MOTION by Bolin, seconded by Culleton**, waived the first reading of Town Ordinance No. 617 and read by title only; and, Introduced Town Ordinance No. 617. “An Ordinance Amending Paradise Municipal Code Section 8.58.060 Relating to Defensible Space and Hazardous Fuel Management”. Roll call vote was unanimous. (480-35-002)

6g. At 8:24 p.m. Vice Mayor Greg Bolin recused himself from the dais regarding this agenda item due to a potential conflict of interest.

Public Works Director/Town Engineer Marc Mattox provided the Town Council with an overview of the Draft Principals of Agreement between the

Town of Paradise and the City of Chico that the Sewer Regionalization Project Advisory Committee has been working on.

Council discussed the Draft Principals Agreement between the Town of Paradise and City of Chico developed by the Sewer Regionalization Project Advisory Committee and provide no additional comments. Vice Mayor Bolin returned to the dais at 8:48 p.m.

## **7. COUNCIL INITIATED ITEMS AND REPORTS**

### **7a. Council initiated agenda items**

- 7a1. Consider discussing road construction projects in Town and requesting identifying plaques for the contractors and putting construction maps on social media so citizens can see where road construction is in Town. (CULLETON)

Council Member Culleton talked with PG&E and they stated there are other contractors working on the roadways in Paradise; PG&E now provides a map of where construction is going on in Town so the public can be informed of what the best routes are for driving in town. The Town is also working on identifying where other contractors are working in Town.

Marc Mattox stated that Paradise is one of the largest construction sites in the country and temporary construction sites are difficult to manage because job sites change on a daily basis, but the Town is working on providing more information to the public.

- 7a2. Discuss changes to Ordinance 612 regarding citations issued to property owners instead of violators living on the property. (CULLETON)

Council Member Culleton was concerned with the Ordinance only citing the property Owner and not the actual violator on the property, but had a discussion with staff and learned that the Ordinance allows staff the ability and tools to cite the property owner and violator.

### **7b. Council reports on committee representation**

Council Member Jones attended Sewer Regional Project Advisory Committee (SRPAC), Butte County Association of Governments and Butte County Air Quality Management District meetings.

Council Member Culleton attended Solid Waste Committee and CDBG Partnership program to award money to Service organizations

Council Member Tryon attended meetings with Broad and Guzman, CDBG Partnership Program, Waste Management; and announced that potentially the green waste yard, buy back center and Household Hazardous Waste (HHW) center could be available in the near future.

Mayor Crowder attended SRPAC, Congressman LaMalfa press conference, labor negotiations with Generals and POA and Chamber Business walk.

7c. Future Agenda Items - None

**8. STAFF COMMUNICATION**

8a. Town Manager Report

Town Manager Phillips reported on meeting with PASH; ICS 300 training with Jim Broshears; Counselors of Real Estate meeting; discussion to enhance Yellowstone Kelly trail with mountain biking amenities; announced the Town will be hosting HUD for a Roundtable meeting/discussion and will be hosting the Sacramento Valley City Mangers meeting.

Town Manger Phillips announced the City Clerks Association of California 2022 Clerk of the Year award was presented to Town Clerk Dina Volenski in San Francisco.

Community Development Director (CDD) Update

CDD Director Tony Lindsey informed the Town Council that the department has been hosting Stakeholders meetings on the first Monday of each month; Community Enhancement Outreach Team has contacted 40 community members last month and generated 85 clients for the Business and Housing Department; exploring opportunities for residents to receive affordable insurance through IBHS which focus on Wildfire preparedness and is supported by National Institute of Standards and Technology (NIST); and, introduced an interactive Wildfire Ready app to assist residents.

**9. CLOSED SESSION - None**

**10. ADJOURNMENT**

Mayor Crowder adjourned the meeting at 9:27 p.m.

Date approved: May 10, 2022

By:

Attest:

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

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

**TOWN OF PARADISE  
PLANNING COMMISSION**

**RESOLUTION NO. 13-04**

**A RESOLUTION OF THE TOWN OF PARADISE PLANNING COMMISSION  
FINDING THE 1994 PARADISE GENERAL PLAN SUBSTANTIALLY  
COMPLIES WITH THE STATUTORY MANDATES UNDER  
GOVERNMENT CODE SECTION 65302**

**WHEREAS**, each California city and county is required to have a general plan that includes specific mandatory elements, which set forth the objectives, policies, principles, standards and plan proposals for the physical development of the city or county. See Government Code sections 65300 and 65302 attached. There are seven mandatory general plan elements that must be included in each general plan; and

**WHEREAS**, under Government Code section 65302, the general plan is required to include the following elements:

- (a) **Land Use** – designates proposed general location, distribution and extent of land uses; includes standards of population density and building intensity.
- (b) **Circulation** – consists of general location and extent of transportation facilities and public utilities all correlated with the land use element.
- (c) **Housing** – provides for housing development, improvement and site adequacy for all economic segments of the community.
- (d) **Conservation** – for the conservation, development, and utilization of all natural resources.
- (e) **Open Space** – plans for open space for preservation and managed production of natural resources, outdoor recreation and public health and safety.
- (f) **Noise** – identification and appraisal of noise problems in the community. It shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. Noise contours shall be used as a guide for establishing a pattern of land uses in the land use element.
- (g) **Safety** – protection of community from fires, seismic and geological hazards; and

**WHEREAS**, pursuant to Government Code section 65103(a), the Planning Commission, as the Town of Paradise planning agency, is required to periodically review and revise, as necessary, the Town General Plan; and

**WHEREAS**, the Community Development Director has reviewed the Town's 1994 General Plan for the purpose of determining whether it still substantially complies with all the requirements of Government Code section 65302; and



**WHEREAS**, as a result of the Community Development Director’s review, he has determined that the Town’s 1994 General Plan and the current Housing Element substantially satisfy the statutory mandates under Government Code section 65302; and

**WHEREAS**, if there are no amendments to the 1994 General Plan, the determination would not be a project under the California Environmental Quality Act.

**NOW, THEREFORE, THE TOWN OF PARADISE PLANNING COMMISSION** hereby resolves as follows:

**Section 1.** The above statements are true and correct.

**Section 2.** The Planning Commission has reviewed the staff report relating to the status of the Town’s 1994 General Plan.

**Section 3.** Based on such review, the Planning Commission hereby finds that the Town’s 1994 General Plan contains all of the mandatory elements required by State law, including the current Housing Element, and that it substantially complies with the requirements of Government Code section 65302.

**Section 4.** The Planning Commission hereby determines that the adoption of this resolution is not a “project” under Public Resources Code section 21065 and Title 14 CCR section 15378 of the CEQA Guidelines based on the fact it is merely a finding that the Town’s 1994 General Plan substantially complies with State law.

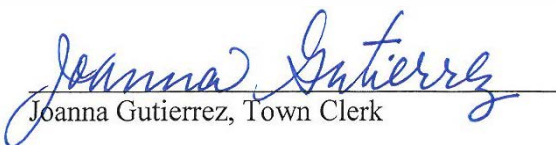
**Section 5.** The Planning Commission directs the Community Development Director to post a Notice of Determination relating to the exemption from the requirements of the California Environmental Quality Act.

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 27<sup>th</sup> day of August, 2013, by the following vote:

- AYES:** Stephanie Neumann, Dan Wentland, Michael Zuccolillo and Jody Jones, Chair
- NOES:** None
- ABSENT:** James Clarkson
- NOT VOTING:** None

  
\_\_\_\_\_  
Jody Jones, Chair

ATTEST: 8/28/2013

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

**ARTICLE 5. Authority for and Scope of General Plans [65300. - 65303.4.]**

*( Article 5 added by Stats. 1965, Ch. 1880. )*

**65300.**

Each planning agency shall prepare and the legislative body of each county and city shall adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning. Chartered cities shall adopt general plans which contain the mandatory elements specified in Section 65302.

*(Amended by Stats. 1984, Ch. 1009, Sec. 3.)*

*(Added by Stats. 1980, Ch. 837.)*

**65302.**

The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The location and designation of the extent of the uses of the land for public and private uses shall consider the identification of land and natural resources pursuant to paragraph (3) of subdivision (d). The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify and annually review those areas covered by the plan that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources. The land use element shall also do both of the following:

(1) Designate in a land use category that provides for timber production those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982 (Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5).

(2) Consider the impact of new growth on military readiness activities carried out on military bases, installations, and operating and training areas, when proposing zoning ordinances or designating land uses covered by the general plan for land, or other territory adjacent to military facilities, or underlying designated military aviation routes and airspace.

(A) In determining the impact of new growth on military readiness activities, information provided by military facilities shall be considered. Cities and counties shall address military impacts based on information from the military and other sources.

(B) The following definitions govern this paragraph:

(i) "Military readiness activities" mean all of the following:

(I) Training, support, and operations that prepare the men and women of the military for combat.

(II) Operation, maintenance, and security of any military installation.

(III) Testing of military equipment, vehicles, weapons, and sensors for proper operation or suitability for combat use.

(ii) "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the United States Department of Defense as defined in paragraph (1) of subsection (e) of Section 2687 of Title 10 of the United States Code.

(b) (1) A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan.

(2) (A) Commencing January 1, 2011, upon any substantive revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

(B) For purposes of this paragraph, "users of streets, roads, and highways" mean bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

(c) A housing element as provided in Article 10.6 (commencing with Section 65580).

(d) (1) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. The conservation element shall consider the effect of development within the jurisdiction, as described in the land use element, on natural resources located on public lands, including military installations. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county.

(2) The conservation element may also cover all of the following:

(A) The reclamation of land and waters.

(B) Prevention and control of the pollution of streams and other waters.

(C) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(D) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(E) Protection of watersheds.

(F) The location, quantity and quality of the rock, sand, and gravel resources.

(3) Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

(e) An open-space element as provided in Article 10.5 (commencing with Section 65560).

(f) (1) A noise element that shall identify and appraise noise problems in the community. The noise element shall recognize the guidelines established by the Office of Noise Control and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

(A) Highways and freeways.

(B) Primary arterials and major local streets.

(C) Passenger and freight online railroad operations and ground rapid transit systems.

(D) Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation.

(E) Local industrial plants, including, but not limited to, railroad classification yards.

(F) Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment.

(2) Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive.

(3) The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise.

(4) The noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards.

(g) (1) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence; liquefaction; and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, military installations, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards.

(2) The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following:

(A) Identify information regarding flood hazards, including, but not limited to, the following:

(i) Flood hazard zones. As used in this subdivision, "flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate or minimal hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency (FEMA). The identification of a flood hazard zone does not imply that areas outside the flood hazard zones or uses permitted within flood hazard zones will be free from flooding or flood damage.

(ii) National Flood Insurance Program maps published by FEMA.

(iii) Information about flood hazards that is available from the United States Army Corps of Engineers.

(iv) Designated floodway maps that are available from the Central Valley Flood Protection Board.

(v) Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the California Emergency Management Agency.

(vi) Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources.

(vii) Maps of levee protection zones.

(viii) Areas subject to inundation in the event of the failure of project or nonproject levees or floodwalls.

(ix) Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding.

(x) Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities.

(xi) Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services.

(B) Establish a set of comprehensive goals, policies, and objectives based on the information identified pursuant to subparagraph (A), for the protection of the community from the unreasonable risks of flooding, including, but not limited to:

(i) Avoiding or minimizing the risks of flooding to new development.

(ii) Evaluating whether new development should be located in flood hazard zones, and identifying construction methods or other methods to minimize damage if new development is located in flood hazard zones.

(iii) Maintaining the structural and operational integrity of essential public facilities during flooding.

(iv) Locating, when feasible, new essential public facilities outside of flood hazard zones, including hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities or identifying construction methods or other methods to minimize damage if these facilities are located in flood hazard zones.

(v) Establishing cooperative working relationships among public agencies with responsibility for flood protection.

(C) Establish a set of feasible implementation measures designed to carry out the goals, policies, and objectives established pursuant to subparagraph (B).

(3) Upon the next revision of the housing element on or after January 1, 2014, the safety element shall be reviewed and updated as necessary to address the risk of fire for land classified as state responsibility areas, as defined in Section 4102 of the Public Resources Code, and land classified as very high fire hazard severity zones, as defined in Section 51177. This review shall consider the advice included in the Office of Planning and Research's most recent publication of "Fire Hazard Planning, General Technical Advice Series" and shall also include all of the following:

(A) Information regarding fire hazards, including, but not limited to, all of the following:

(i) Fire hazard severity zone maps available from the Department of Forestry and Fire Protection.

(ii) Any historical data on wildfires available from local agencies or a reference to where the data can be found.

(iii) Information about wildfire hazard areas that may be available from the United States Geological Survey.

(iv) General location and distribution of existing and planned uses of land in very high fire hazard severity zones and in state responsibility areas, including structures, roads, utilities, and essential public facilities. The location and distribution of planned uses of land shall not require defensible space compliance

measures required by state law or local ordinance to occur on publicly owned lands or open space designations of homeowner associations.

(v) Local, state, and federal agencies with responsibility for fire protection, including special districts and local offices of emergency services.

(B) A set of goals, policies, and objectives based on the information identified pursuant to subparagraph (A) for the protection of the community from the unreasonable risk of wildfire.

(C) A set of feasible implementation measures designed to carry out the goals, policies, and objectives based on the information identified pursuant to subparagraph (B) including, but not limited to, all of the following:

(i) Avoiding or minimizing the wildfire hazards associated with new uses of land.

(ii) Locating, when feasible, new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in a state responsibility area or very high fire hazard severity zone.

(iii) Designing adequate infrastructure if a new development is located in a state responsibility area or in a very high fire hazard severity zone, including safe access for emergency response vehicles, visible street signs, and water supplies for structural fire suppression.

(iv) Working cooperatively with public agencies with responsibility for fire protection.

(D) If a city or county has adopted a fire safety plan or document separate from the general plan, an attachment of, or reference to, a city or county's adopted fire safety plan or document that fulfills commensurate goals and objectives and contains information required pursuant to this paragraph.

(4) After the initial revision of the safety element pursuant to paragraphs (2) and (3), upon each revision of the housing element, the planning agency shall review and, if necessary, revise the safety element to identify new information that was not available during the previous revision of the safety element.

(5) Cities and counties that have flood plain management ordinances that have been approved by FEMA that substantially comply with this section, or have substantially equivalent provisions to this subdivision in their general plans, may use that information in the safety element to comply with this subdivision, and shall



summarize and incorporate by reference into the safety element the other general plan provisions or the flood plain ordinance, specifically showing how each requirement of this subdivision has been met.

(6) Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the California Geological Survey of the Department of Conservation, the Central Valley Flood Protection Board, if the city or county is located within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code, and the California Emergency Management Agency for the purpose of including information known by and available to the department, the agency, and the board required by this subdivision.

(7) To the extent that a county's safety element is sufficiently detailed and contains appropriate policies and programs for adoption by a city, a city may adopt that portion of the county's safety element that pertains to the city's planning area in satisfaction of the requirement imposed by this subdivision.

*(Amended by Stats. 2012, Ch. 311, Sec. 2. Effective January 1, 2013.)*



# Town of Paradise Planning Commission Special Meeting Agenda 6:00 PM – May 24, 2022

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

### Planning Commission Staff:

Susan Hartman, Community Development Director

### Planning Commission Members:

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

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

### CALL TO ORDER

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

### ROLL CALL

#### 1. PUBLIC HEARING

#### \*\*\* 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."

- 1a. 1. Conduct the duly noticed and scheduled public hearing regarding the proposed Town of Paradise Housing Element 2022 update; and,

2. Consider adopting Planning Commission Resolution No. 2022-02, thereby recommending that the Town Council take the following actions: a) Certify and adopt the proposed Initial Study and Negative Declaration document as it relates to the proposed Town of Paradise Housing Element 2022 Update, and b) Adopt the amendments to the Housing (2022-2030 Housing Element) of the 1994 Paradise General Plan known as the Town of Paradise Housing Element 2022 Update in order to make the Paradise Housing Element consistent with the RHNA and current State housing element law. (ROLL CALL VOTE)

**2. ADJOURNMENT**

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



**Town of Paradise**

**Planning Commission Agenda Summary**

**Agenda Item: 1(a)**

**Date: May 24, 2022**

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

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

**SUBJECT:** Review the Final Revised 2022-2030 Housing Element Update and Consider Adoption of a Resolution Recommending Town Council Adoption of a Town of Paradise 2022-2030 Housing Element Update and Certification of its Associated Negative Declaration Environmental Document

**COMMISSION ACTION REQUESTED:**

1. Conduct the duly noticed and scheduled public hearing regarding the proposed Town of Paradise Housing Element 2022 update; and, 2. Consider adopting Planning Commission Resolution No. 2022-02, thereby recommending that the Town Council take the following actions: a) Certify and adopt the proposed Initial Study and Negative Declaration document as it relates to the proposed Town of Paradise Housing Element 2022 Update, and b) Adopt the amendments to the Housing (2022-2030 Housing Element) of the 1994 Paradise General Plan known as the Town of Paradise Housing Element 2022 Update in order to make the Paradise Housing Element consistent with the RHNA and current State housing element law. (ROLL CALL VOTE)

**Background:**

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

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

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

On January 18, 2022, the Draft Housing Element was forwarded to the State Dept of Housing & Community Development (HCD) for their initial 90-day review. A virtual meeting was conducted

with HCD staff regarding their preliminary review worksheet on March 18, 2022. As a result of that conversation, additional information was provided to HCD for their housing element review. Their final draft comments were received by staff on April 18, 2022. Two subsequent virtual meetings were held with HCD to review the comments in detail before beginning on the additional data analysis required in order to secure final certification of the Housing Element from HCD.

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

### **Analysis:**

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

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

### **Financial Impact:**

There is no financial impact to the Town's General Fund to adopt a Resolution recommending Town Council adoption of the 2022-2030 Housing Element Update and associated Negative Declaration environmental document. If ultimately adopted by the Town Council, the cost associated with filing the Notice of Determination with the County Clerk for the Negative Declaration will be paid for out of the General Plan Update fund.

### **Attachments:**

- Notice of the Planning Commission meeting of May 24, 2022.
- Notice of Intent to Adopt a Negative Declaration/Initial Study for the Housing & Safety Elements.
- Planning Commission Resolution No. 2022-02.
- Initial Study and Negative Declaration environmental document.
- Final Adoption Draft of the Town of Paradise Updated 2022-2030 Housing Element.

**NOTICE OF PUBLIC HEARING  
PARADISE PLANNING COMMISSION**

**NOTICE IS HEREBY GIVEN** BY THE Paradise Planning Commission that a public hearing will be held on **May 24, 2022 at 6:00 p.m.** in the Paradise Town Council Chambers at Paradise Town Hall located at 5555 Skyway, Paradise, CA regarding the matter described below:

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

**Town of Paradise Housing Element Update** – The Planning Commission will hold a public hearing regarding the proposed Final Town of Paradise General Plan Housing Element update. The updated Housing Element is intended to address the housing needs of the Town of Paradise from 2022 to 2030. The State of California requires periodic updates of Housing Elements to address the necessary conditions for developing and preserving an adequate supply of housing for all income categories. The proposed Final Housing Element update analyzed the post-fire housing needs of the Town and aimed to develop goals, policies, and programs which create a more wildfire resilient housing inventory. It is the intent of Town staff to seek Town Council adoption of the updated Housing Element by June 15, 2022, and subsequently submit the adopted 2022-2030 Housing Element Update to the California State Department of Housing and Community Development for final certification.

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

Susan Hartman  
Community Development Director

**TOWN OF PARADISE**

Date: April 13, 2022

**Notice of Intent to Adopt a Negative Declaration/Initial Study for the Paradise Housing Element & Safety Element Update Projects**

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, May 24, 2022 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following project:

**Lead Agency:** Town of Paradise  
5555 Skyway  
Paradise, CA 95969

**Project Title:** **Town of Paradise Housing Element Update**

**Project Location:** The Town of Paradise is located in north central Butte County where the western slopes of the Cascade and Sierra Nevada ranges meet. The topography in the area is composed of mostly steeper canyons from the major drainages. The Town is situated at an elevation of between 1,500 and 2,200 feet.

**Project Description:** The Town of Paradise Housing Element update would revise the Town’s Housing Element consistent with the requirements of state law.

**Findings/Determination:** The Town has reviewed and considered the proposed project and has determined that the project will not have a significant effect on the environment, with substantial supporting evidence provided in the Initial Study. The Town hereby prepares and proposes to adopt a Negative Declaration for this project.

**Public Review Period:** A 30-day public review period for the Negative Declaration/ Initial Study, which covers both the Housing Element & Safety Element updates, commenced on April 15, 2022 and will end on May 15, 2022 for interested individuals and public agencies to submit written comments on the document. Written comments on the Initial Study/ Negative Declaration should be sent to the attention of Susan Hartman, Community Development Director and must be received at 5555 Skyway, Paradise, CA 95969 by 12:00 PM on May 16, 2022. Copies of the Negative Declaration/Initial Study and the draft Town of Paradise Housing Element Update are available for review at the Town of Paradise Building Resiliency Center at 6295 Skyway, Paradise, CA 95969 or online at [www.townofparadise.com/planning/page/housing-element-2022](http://www.townofparadise.com/planning/page/housing-element-2022).

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

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

**ATTEST:**

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



# Town of Paradise Town Council Meeting Agenda 6:00 PM – June 14, 2022

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

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

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

### Meeting Procedures

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

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

## 1. OPENING

- 1a. Call to Order
- 1b. Pledge of Allegiance to the Flag of the United States of America
- 1c. Invocation
- 1d. Roll Call
  
- 1e. Presentation by CalFire/Paradise Fire Chief - Patrick Purvis
  
- 1f. Camp Fire recovery updates - Written reports are included in the agenda packet:
  - P5 Colette Curtis, Recovery and Economic Development Director - Recovery projects, Advocacy, Economic Recovery and Development, Communications and Emergency Operations.
  
  - P8 Marc Mattox, Public Works Director/Town Engineer - Infrastructure and Sewer Update
  
  - p10 Tony Lindsey, CDD-Building and Code Enforcement - Code Enforcement Update

## 2. CONSENT CALENDAR

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

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

## 3. ITEMS REMOVED FROM CONSENT CALENDAR

## 4. PUBLIC COMMUNICATION

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

## 5. PUBLIC HEARINGS

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

### Public Hearing Procedure:

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

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

## 6. COUNCIL CONSIDERATION

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

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

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

- 6e. p509 Consider adopting the attached Resolution No. 2022- \_\_\_\_, “A Resolution of the Town Council of the Town of Paradise Declaring An Emergency And Authorizing Repair or Replacement of The Stearns Road 72” Culvert Without Observance Of Public Bidding Requirements”; and Authorize the Town Manager to execute agreements for a contractor and/or materials for the subject project. (ROLL CALL VOTE)
- 6f. p516 Consider adopting Resolution No. 2022-\_\_, “A resolution of the Town Council of the Town of Paradise Awarding Contract No. 7303.21.CON, On-System Roadway Rehabilitation –Skyway (Phase 1) to Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1; and, Authorize the Town Manager to execute an agreement with Baldwin Contracting Company, Inc. dba Knife River Construction in the amount of their base bid plus additive bid #1 relating to Contract No. 7303.1.CON and to approve contingency expenditures not exceeding 10%. (ROLL CALL VOTE)

**7. COUNCIL INITIATED ITEMS AND REPORTS**

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

**8. STAFF COMMUNICATION**

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

**9. CLOSED SESSION - None**

**10. ADJOURNMENT**

STATE OF CALIFORNIA )	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	

**TOWN OF PARADISE  
RESOLUTION NO. 2022-39**

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

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

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

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

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

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

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

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

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

**WHEREAS**, the Town Council has considered the analysis and recommendations of town staff; has received and considered the recommendation of the Planning Commission via adopted Planning Commission Resolution No. 2022-02 in response to recent comments

**TOWN OF PARADISE  
RESOLUTION NO. 2022-39**

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

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

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

**SECTION 2.** The Town Council hereby adopts the amendment to the Housing Element (2022-2030 Housing Element) of the 1994 Paradise General Plan known as Town of Paradise Housing Element 2022 Update in order to make the Paradise Housing Element consistent with the RHNP and current State housing element law, which amendment is set forth in Exhibit "A" attached hereto. Town Council authorizes the Town Manager, or his designee, to make non-substantive changes to any additional edits requested by HCD for certification.

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

<b>AYES:</b>	Greg Bolin, Steve "Woody" Culleton, Jody Jones, Rose Tryon and Steve Crowder, Mayor
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>ABSTAIN:</b>	None

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

**ATTEST:** June 15, 2022

**By:** Dina Volenski  
Dina Volenski, CMC, Town Clerk

**APPROVED AS TO FORM:**

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

I hereby certify that the attached is a true and correct copy of an original document on file at the Town of Paradise.

**ATTEST:** Dina Volenski  
Town Clerk

**By:** Dina Volenski

**Dated:** June 22, 2022