



5.0 CONSTRAINTS ANALYSIS AND DEVELOPMENT OPPORTUNITIES

A constraint is defined as something that restricts, limits or regulates a given course of action. An opportunity, on the other hand, is a favorable or advantageous combination of circumstances which allows for a beneficial outcome. In the context of a general plan, opportunities are assets that can be used to the community's advantage to achieve desired ends. Constraints represent the limitations for growth and development within which proposals and potential solutions must be designed.

This *General Plan* identifies environmental/physical, infrastructure and policy constraints. When melded together, the constraints reveal the opportunities for growth, development and the preservation and enhancement of open space.

The environmental/physical constraints identified in the *General Plan* are:

- High fire hazard areas
- Soils
- Topography/slopes
- Creeks, streams and natural drainages
- Sensitive plant and animal habitats
- Noise sensitivity
- Airport safety areas
- High archaeological sensitivity
- Deer migration window
- Trees are also a major constraint; however, they are not mapped

The infrastructure constraints identified in the *General Plan* are:

- Water supply and distribution

- Roadway levels or service thresholds
- Police and fire protection response times
- Sewage disposal
- Paradise Unified School District service capacity
- Paradise Recreation and Park District service capacity
- Drainage

- *High wildland fire hazards are discussed in Section 6.5 (Safety Element) and Section 14.2 in Volume III.*
- *Local school district service capacity is discussed in Section 6.7 (Education and Social Services Element) and Section 14.6 in Volume III.*

NOTE: Other constraints, both environmental and infrastructure related, not identified in the *General Plan* may also affect the eventual zoning of properties and future development opportunities.

It should be noted that state and federal laws may preempt the strict application of constraints analysis to the siting and construction of certain utility infrastructural improvements.

As a growth management tool, the constraints analysis system is intended to provide a systematic and rational method in which to determine the development opportunity of a given property. To a certain degree, known infrastructure and environmental constraints have been used to assist in the selection of *General Plan* land



use designations for given properties. The *Paradise General Plan* requires the use of constraints analysis in developing future zoning classifications for properties, as well as for analyzing future development proposals.

Zoning Classification Directives

The *Paradise General Plan* directs future zoning classification work to be driven by constraints analysis. Specific zoning densities, uses and standards will be established as a result of a comprehensive evaluation of site specific constraints. Property designated for future residential development may, as a result of detailed constraints analysis, be assigned a zoning classification with a low density. Conversely, another property may be devoid of constraints, and therefore receive a zoning classification allowing a higher land use density or intensity.

If and when the identified infrastructure constraints are overcome by implementation of capital improvements, the town may choose to revise the zoning classification to allow a more intensive use of the property. If a particular development project proposes to overcome infrastructure constraints by providing the necessary infrastructure, such as, upgrading the roadway system, constructing a new fire station, or fully mitigating the impacts to the local school district, then the proposal may need to include a request for amendment to the *Paradise General Plan* and zoning ordinance. The town decision makers, with the assistance of staff and the citizenry would then have the opportunity to decide if that particular type and intensity of development is in the best interest of the community at that particular time.

It is suggested that a variety of residential zoning districts be established to provide a wide range of residential land uses.

Typical infrastructure constraints used in the analysis may include, but not be limited to the following:

- **A lack of adequate water distribution infrastructure.** The water mains and hydrants in a given location (particularly high wildland fire hazard areas) may not produce the required pressure and flow to adequately fight a fire, and therefore a zoning classification intended for high density/intensity development would be inappropriate.
- **A lack of domestic water service capacity.** If local water purveyors indicate that domestic water service is limited, the zoning classifications for residential, commercial and industrial land uses must coincide with feasible service capacity levels.
- **A lack of adequate sewage disposal infrastructure.** The absence of a community sewer system available to serve a given piece of property and/or existing soils on the site are very shallow and do not drain well. Such circumstances would direct a zoning classification for low density or low intensity land uses.
- **A lack of adequate roadway infrastructure.** The roadway system in a given location may not have through access to a publicly maintained street, or may contain narrow and deteriorated lanes and roads. The streets and intersections in a given area may be experiencing a level of service below the minimum established in the *General Plan*, and therefore is not appropriate for high intensity/density development.
- **A lack of adequate police and fire response times.** A given location may be outside the identified and required response time ranges for adequate police and fire protection. In addition, some properties may be situated within a high wildland fire hazard area. These constraints would dictate a zoning classification allowing low intensity/density development.
- **A lack of service capacity of the Paradise Unified School District.**



Environmental constraints, such as those listed on page 5-1, shall also be used in determining future zoning classifications.

Analysis of Development Proposals

"Development projects should be designed in a manner to accommodate the constraints on a parcel by avoiding them altogether or creating minimal loss or conflict."

As the town slowly builds out, the remaining vacant lands are generally those with physical/environmental constraints that have limited development opportunities in the past. Accordingly, there will be increased pressure to attempt to overcome the constraints and develop the land. It is the purpose of the constraints analysis system to encourage and entertain development that is sensitive to the constraints on a given parcel. Development projects should be designed in a manner to accommodate the constraints on a parcel by avoiding them altogether or creating minimal loss or conflict. It is a policy of the *Paradise General Plan* to direct development to areas devoid of or exhibiting minimal constraints.

The maximum potential development density permitted under the *General Plan* land use designation and zoning classification may not be achievable given the physical/environmental constraints that exist on a particular site. For example, a one acre parcel designated for multi-family residential development, may be limited to five units per acre because of steep topography, the presence of archaeological resources, mature stands of trees, and a creek.

With the strong *General Plan* goals of preserving the natural environment and Paradise's rural charm, methods of overcoming physical/environmental

constraints shall be limited. Removing stands of mature trees and filling in drainage swales as a means of overcoming significant vegetation and wildlife and plant habitat constraints shall not be condoned and should not be permitted. Additionally, excessive grading, significant cut and fills, and major retaining wall construction as a means of overcoming topographic constraints should not be permitted. The filling and rerouting of drainage swales and creeks will not be permitted as a means of overcoming net lot area requirements for compliance with the town sewage disposal ordinance.

General Plan Policy Constraints

The *Paradise General Plan* contains growth and development policies related to land use, circulation, housing, noise, safety, open space/conservation/energy, and education and social services. These policies must also be considered a form of constraint to the development opportunity on property in Paradise.

It is the combination of the infrastructure, physical/environmental, and policy constraints taken as a whole that shapes and reveals the development opportunity of a given parcel of land.

Development Opportunities

As a result of continued building activities since town incorporation combined with the presence of infrastructural and environmental constraints, land suitable for residential, commercial and industrial development is becoming limited within the primary planning area. Poor water distribution in some areas, potential water supply difficulties, narrow, steep and



deteriorated roads, steep slopes, shallow soils, the presence of important streams, and a general lack of large parcels of land have reduced potential development opportunities in the town. Generally, the remaining vacant lands within the town are those with some degree of constraints, which have tended to discourage development in the past.

The remaining vacant lands devoid of major constraints or with a small degree of constraints are located in various parts of the community, ranging from the properties just north of the golf course to smaller pockets of parcels in the northeastern portion of town. Larger land holdings south of Roe Road, east of Clark Road, west of Neal Road, and north of Honey Run Road all experience some degree of major constraints.

The opportunities of future development may include infilling small pockets of vacant land within the proposed rural residential, town residential, and various commercially designated land areas. While the town has not experienced a significant amount of redevelopment or 'tear-down' type development, it is expected that such an approach may provide valuable opportunities for both residential and commercial development within the fifteen-year time frame of the plan.

The General Plan does designate additional land for light industrial and business park development. The potential for actual development of this land is dependent upon, to some degree, the overcoming of infrastructural constraints.

The General Plan also designates additional land for community service land uses. The plan attempts to provide new opportunities for community service type development, such as residential care facilities, medical offices, senior citizen and youth centers, and day care facilities.

The General Plan directs revisions to the *Downtown Revitalization Plan* which will focus on opportunities and strategies for commercial development in the

downtown area and the enhancement of the local economy.