

TOWN OF PARADISE

Date: October 28, 2010

NOTICE OF ENVIRONMENTAL DOCUMENT AVAILABILITY AND PUBLIC HEARING TOWN PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Commission that a public hearing will be held on Tuesday, November 16, 2010 at 6:00 p.m. in the Town Hall Council Chambers, Room 8, 5555 Skyway, Paradise, California, regarding the following project:

Project Title: South Paradise Sphere Prezone Amendment Plan

Project Location: The prezone plan would affect ± 134 properties located within a three mile wide by one mile long land area corridor straddling Neal Road that abuts and is located due south and southwest of the southern limits of the Town of Paradise.

Description of Project: The proposed project is a town-initiated prezone plan amendment encompassing an $\pm 1,920$ -acre land area to promote establishment of updated and corrected pre zoning of properties consistent with the Paradise General Plan; and establish current and applicable zoning if and whenever subject properties are ever annexed to the Town of Paradise. [NOTE: The Town of Paradise is not proposing annexation of properties within the affected land area via the proposed prezone plan amendment.]

Address where document may be reviewed: Town of Paradise
Community Development Department
5555 Skyway, Paradise, CA 95969

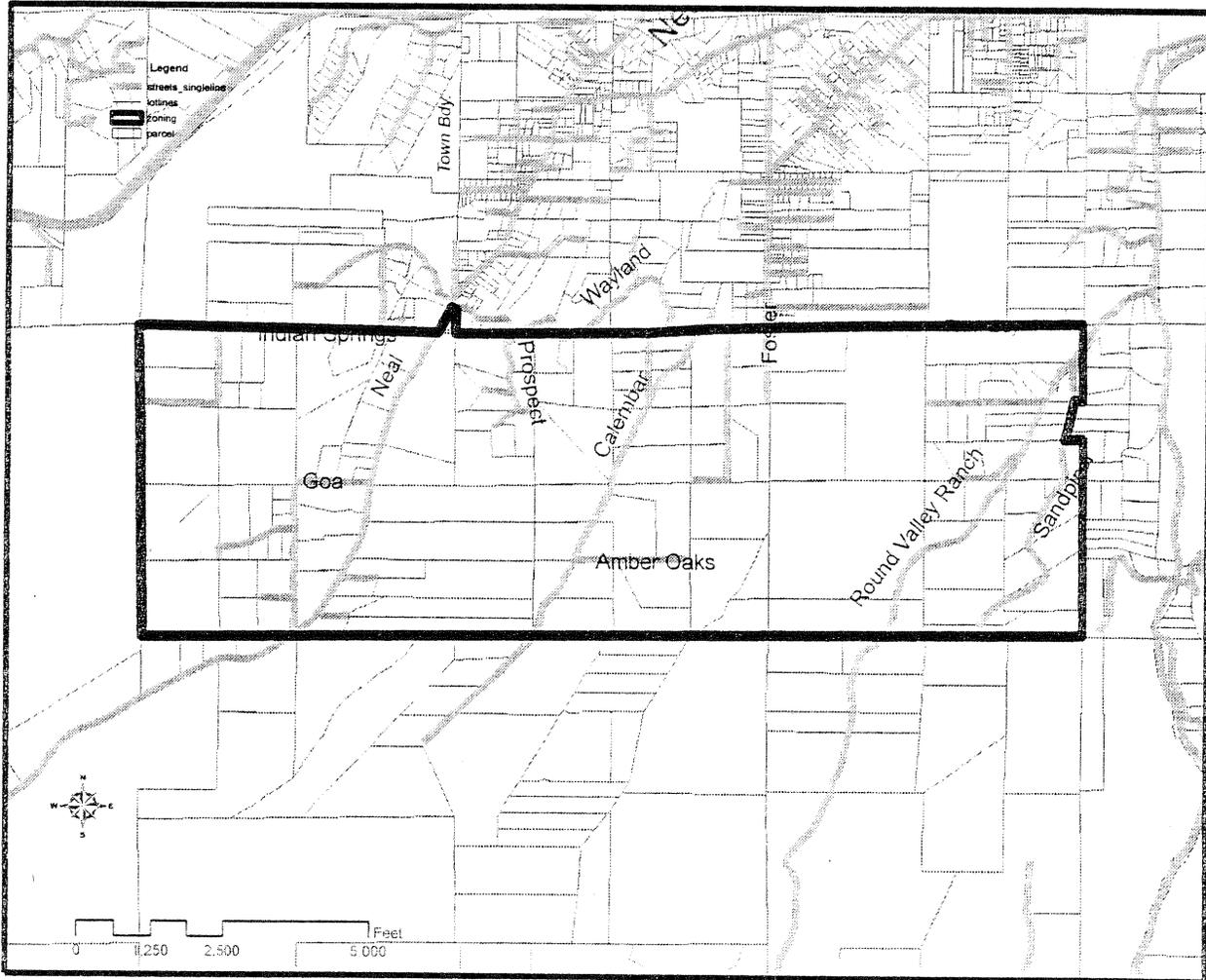
Public Review Period: *Begins:* October 28, 2010; 8:00 a.m.
Ends: November 16, 2010; 3:00 p.m.

The environmental document and project file are available for public inspection at the Community Development Department, Town Hall. Any person wishing to respond to the proposed environmental document may file written responses no later than **November 16, 2010, at 3:00 p.m.** with the Paradise Community Development Depart.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For further information please contact the Community Development Depart. (530) 872-6991.

CRAIG BAKER
Planning Director

South Paradise Sphere Prezone Plan



VICINITY MAP

**TOWN OF PARADISE
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. **Description of Project:** South Paradise Sphere Prezone Amendment Plan. The proposed project is a town-initiated prezone plan amendment encompassing an $\pm 1,920$ -acre land area to promote establishment of updated and corrected prezoning of properties consistent with the Paradise General Plan; and establish current and applicable zoning if and whenever subject properties are ever annexed to the Town of Paradise. [NOTE: The Town of Paradise is not proposing annexation of properties within the affected land area via the proposed prezone plan amendment.]

2. **Name and Address of Project Applicant:**

Town of Paradise
5555 Skyway
Paradise, CA 95969

3. **The Initial Study for this Project was Prepared on October 23, 2010**

4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. Preparation of an Environmental Impact Report will not be required.

5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.

6. Any person wishing to respond to this negative declaration may file written responses no later than November 16, 2010 at 3:00 p.m. with the Paradise Community Development Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.

7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: 
Craig Baker, Planning Director

Date: 10/25/10

INITIAL STUDY
FOR
TOWN OF PARADISE
SOUTH PARADISE SPHERE
PREZONE PLAN

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING**

TOWN OF PARADISE

**SOUTH PARADISE SPHERE
PREZONE PLAN**

PROJECT DESCRIPTION

The proposed project is a town-initiated prezone plan amendment encompassing an approximate 1,920-acre land area. The purpose of the project is to promote and implement amended and current prezoning of properties consistent with the Paradise General Plan; and establish current and applicable zoning if and whenever subject properties are ever annexed to the Town of Paradise.

ENVIRONMENTAL SETTING

Location

The Town of Paradise is located in eastern Butte County. The prezone plan would affect approximately 134 properties located within a three mile wide by one mile long land area corridor straddling Neal Road that abuts and is located due south and southwest of the southern limits of the Town of Paradise.

Land Use

Land use within the area of the prezone plan varies and consists of large expanses of open space and scattered small-sized agricultural-residential estates.

Topography and Vegetation

The project area is characterized by two south-southwest facing ridge areas (McKay Ridge and White Springs Ridge) with moderate to moderately steep slopes and separated by the Hamlin Canyon and Dry Creek drainages. These drainages exhibit steep slopes, areas of shallow depth soils and thick vegetation. The ridge tops are moderately sloped with scattered stands of pine, black oak, shrubs and grasses.

Public Services

Services and facilities presently available or potentially available to the prezone area include the following non-inclusive list:

Access:	Public Streets [Neal and Wayland Roads] and Private Roads
Communications:	Pacific Bell Telephone/Viacom Cable TV
Electricity:	Pacific Gas and Electric Company
Fire Protection:	Cal-Fire + Town of Paradise [mutual aid agreement]

Police Protection: Butte County Sheriff
Recreation: Paradise Recreation and Park District
Schools: Paradise Unified School District
Sewage Disposal: Individual Onsite Septic Systems
Water Supply: Private Wells

PROJECT DETAILS

The project entails the assignment of current existing Town of Paradise adopted zoning classifications affecting approximately 134 properties located along Neal Road due south and southwest of and abutting the south limits of the Town of Paradise. The proposed prezone plan amendment is intended to promote and implement amended and current prezoning of the subject properties consistent with the Paradise General Plan, and particularly its land use designations. The prezone plan also will establish current and applicable zoning if and whenever subject properties are ever annexed to the Town of Paradise.

The prezone plan encompasses approximately 1,920 acres and affects approximately 134 properties ranging in size between 0.54 to 124.8 acres. These properties are locally identified as Butte County Assessor parcel numbers: 055-250-028 thru 055-250-126; 055-350-003 thru 055-350-050; 055-360-002 thru 055-360-029; 055-370-024 thru 055-370-123; 055-450-010 thru 055-450-012; and 055-460-002 thru 055-460-054.

The prezone plan was designed with consideration of the following factors: a) existing parcel sizes, b) existing land uses, c) the Paradise General Plan assigned land use designations, and d) existing constraints (steep topography, swallow soils, etc.) affecting potential development of each property.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|--|---|
| 1. Name of Proponent | Town of Paradise |
| 2. Address and phone number of proponent | 5555 Skyway, Paradise, CA; (530) 872-6291 |
| 3. Date of checklist | September 23, 2010 |
| 4. Zoning and general plan designation | Varies |
| 5. Name of proposal, if applicable | South Paradise Sphere Prezone Plan |

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
1. LAND USE AND PLANNING. Would the proposal:					
a. Conflict with general plan designation or zoning?	1				X
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1			X	
c. Be incompatible with existing land use in the vicinity?	8				X
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	8				X
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	8				X
2. POPULATION AND HOUSING. Would the proposal:					
a. Cumulatively exceed official regional or local population projects?	1				X
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	1			X	
c. Displace existing housing, especially affordable housing?	1				X
3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:					
a. Fault rupture?	1				X
b. Seismic ground shaking	1				X
c. Seismic ground failure, including liquefaction?	1				X
d. Seiche, Tsunami or volcanic hazard?	1				X

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
e. Landslides or mudflows?	1				X
f. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	1,8			X	
g. Subsidence of the land?	1,8				X
h. Expansive soils?	1				X
i. Unique geologic or physical features?	1,8				X
4. WATER. Would the proposal result in:					
a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	1,8			X	
b. Exposure of people or property to water related hazards such as flooding?	1,8				X
c. Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	1,8			X	
d. Changes in the amount of surface water in any water body?	1,8				X
e. Changes in currents, or the course or direction of water movements?	1,8				X
f. Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	1,8			X	
g. Altered direction or rate of flow of groundwater?					X
h. Impacts to groundwater quality?					X
i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?				X	
5. AIR QUALITY. Would the proposal:					
a. Violate any air quality standard or contribute to an existing or projected air quality violation?	1			X	
b. Expose sensitive receptors to pollutants?					X
c. Alter air movement, moisture, or temperature, or cause any change in climate?	8				X
d. Create objectionable odors?					X
6. TRANSPORTATION/CIRCULATION. Would the proposal result in:					
a. Increased vehicle trips or traffic congestion?	1,8			X	
b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	8				X
c. Inadequate emergency access or access to nearby uses?	1,8			X	
d. Insufficient parking capacity onsite and offsite?	8				X
e. Hazards or barriers for pedestrians or bicyclists	8				X

		<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
f.	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1,8				X
g.	Rail, waterborne or air traffic impacts?	8				X
7.	BIOLOGICAL RESOURCES. Would the proposal result in impacts to:					
a.	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	1,7,8				X
b.	Locally designated species (e.g. heritage trees)?	1,8				X
c.	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1,7,8			X	
d.	Wetland habitat (e.g. marsh, riparian and vernal pool)?	1,8				X
e.	Wildlife dispersal or migration corridors?	1,8			X	
8.	ENERGY AND MINERAL RESOURCES. Would the proposal:					
a.	Conflict with adopted energy conservation plans?	1				X
b.	Use nonrenewable resources in a wasteful and inefficient manner?	8				X
c.	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1,8				X
9.	HAZARDS. Would the proposal involve:					
a.	A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?					X
b.	Possible interference with an emergency response plan or emergency evacuation plan?	1			X	
c.	The creation of any health hazard or potential health hazard?					X
d.	Exposure of people to existing sources of potential health hazards?					X
e.	Increased fire hazard in areas with flammable brush, grass or trees?	1,8			X	
10.	NOISE. Would the proposal result in:					
a.	Increases in existing noise levels?	1			X	
b.	Exposure of people to severe noise levels?	1,8				X
11.	PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
a.	Fire protection?	1,8			X	
b.	Police protection?	1,8			X	
c.	Schools?	1			X	

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
d. Maintenance of public facilities, including roads?	1,8			X	
e. Other governmental services?	1			X	
12. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a. Power or natural gas?	8			X	
b. Communications systems?	8			X	
c. Local or regional water treatment or distribution facilities?	1,4,8			X	
d. Sewer or septic tanks?	8			X	
e. Storm water drainage?	3,8			X	
f. Solid waste disposal?	8			X	
g. Local or regional water supplies?	1,4,8			X	
13. AESTHETICS. Would the proposal:					
a. Affect a scenic vista or scenic highway?	1,8			X	
b. Have a demonstrable negative aesthetic effect?	1,8				X
c. Create light or glare?	8			X	
14. CULTURAL RESOURCES. Would the proposal:					
a. Disturb paleontological resources?	1,2,8				X
b. Disturb archaeological resources?	1,2,8			X	
c. Affect historical resources?	1,2,8				X
d. Have the potential to cause a physical change which would affect unique ethnic cultural values?	1				X
e. Restrict existing religious or sacred uses within the potential impact area?	1				X
15. RECREATION. Would the proposal:					
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	1,8			X	
b. Affect existing recreational opportunities?	1,8			X	
16. MANDATORY FINDINGS OF SIGNIFICANCE.					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1,8			X	
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	1,8				X

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
c.	1,8			X	
d.	1,8			X	

INITIAL STUDY
STATEMENT OF ENVIRONMENTAL EVALUATION
FOR
TOWN OF PARADISE
SOUTH PARADISE SPHERE
PREZONE PLAN

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

1. General Evaluation

The environmental impact report and its addendum formally adopted by the Paradise Town Council in association with the 1994 Paradise General Plan Contains a detailed environmental analysis of the environmental impacts Associated with adoption and subsequent implementation of the general plan. This environmental document is available for inspection at the Paradise Town Hall during normal business hours and is hereby incorporated within this initial Study by reference. Moreover, this EIR document has been previously distributed To the Butte County planning staff.

As designed, this proposed prezone plan amendment promotes and implements amended and current rezoning for approximately 134 properties in a manner that further implements and is consistent with the Paradise General Plan, particularly its land use designations and the final EIR document that was previously certified for the 1994 Paradise General Plan and no additional significant environmental effects, mitigation measures or alternatives have been ascertained upon the preceding environmental review checklist associated with this proposed prezone project. Lastly, if adopted, this prezone plan has no legal effect concerning future development and environmental consequences of its affected properties unless and until such time that subject properties are annexed to the Town of Paradise.

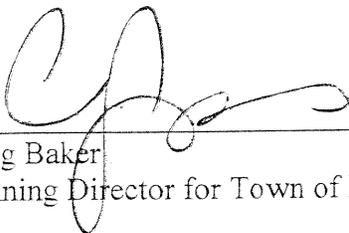
IV. DETERMINATION

On the basis of this initial evaluation:

1. I find that the proposed project **COULD NOT** have a significant effect on the Environment, and a **NEGATIVE DECLARATION WILL BE**

PREPARED.

2. I find that although the proposed project could have a significant effect on the Environment, there will not be a significant effect in this case
because the Mitigation measures described in this document shall be added to the project. **A NEGATIVE DECLARATION WILL BE PREPARED.**
3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in the earlier document pursuant to the applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.



Craig Baker
Planning Director for Town of Paradise

Date: 10/25/10

V. REFERENCES

1. Town of Paradise General Plan Volumes I-III, Town of Paradise Community Development Department and QUAD Consultants 1994.
2. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department.
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates.
4. Paradise Irrigation District water distribution map, 1993.
5. USGS topographic map: Cherokee, CA 1:24000, 1994.
6. USGS topographic map: Hamlin Canyon, CA 1:24000, 1969.
7. The California natural diversity data base, state Department of Fish and Game, 1988, 1980 and 2000.
8. Field inspection of project area by Town staff, August 31 and September 14, 2010.

Initial Study
Prepared by:



Al McGreehan
Special Projects Manager