- CITY OF BIGGS -
PLANNING DEPARTMENT ACTIVITY REPORT
May/June 2013

465 C Street /
P.O. Box 1134
Biggs, CA 95917

PHONE: (530) 868-5493
FAX: (530) 868-5239

DATE: June 11, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Scott Friend, AICP - City Planner

SUBJECT: Planning Department Monthly Activity Report – May/June 2013

DEPARTMENT ACTIVITY SUMMARY

Contract Staff Days/ Agency Meetings / Code Enforcement Activity:

- Weekly Code Enforcement meetings - Thursday afternoons & as-necessary
- May 31st – Public Scoping Meeting #2 for the Waste Water Land Application Project

Major Project Activity and Update Report:

1. *Wastewater Treatment Plant Land Application Project Environmental Compliance*:

   CEQA: The second public Scoping meeting made necessary as a result of the re-circulation of the Notice of Preparation was held on Friday, May 31st. Consistent with the results of the first Scoping meeting, no commenting parties or agencies attended the meeting. The City did receive one input letter from the State Water Resources Control Board as a result of the issuance of the Notice of Preparation. That letter is attached with this report for the Council's consideration.

   Field survey work for the Cultural Resources study and the Biological Resources studies were completed over the last two weeks. The project Biologists completed their field work on both sites on May 31st and the project Archeologist completed their field work on the 6th of June. The preliminary data gathered as a result of both survey efforts appears to confirm the absence of significant cultural resources on both sites however did indicate that both sites were suitable habitat for the Giant Garter Snake and did indicate that the species is most likely present on both sites. Informal consultation with the USFWS has been requested as a result. The technical studies resulting from both of the above noted field examinations will be provided within the next 2-3 weeks. PMC currently anticipates the completion of the administrative draft EIR approximately 3 weeks following the submittal of the final technical reports (mid- to late- July).

2. *Sixth Street Bridge Replacement Project*:

   At this time, the City has received the final required permit for the bridge replacement project. The California Department of Fish and Wildlife (CDFW) issued to the City a Section 1602 Permit (Streambed Alteration Agreement). That agreement/permit is due

outlines the requirements of the CDFW for protection of biological resources relative to making modifications to a linear waterway. At this time staff does not believe that the Conditions in the permit will cause significant problems for the project. It is noted for the Council that the permit does require monitoring for potential species impacts before and during construction by a biologist. To address this, PMC will be submitting to the City Administrator next week a proposal to provide construction monitoring and reporting services during the course of the construction effort.

3. *Zoning Ordinance Text Amendments*:
   PMC is continuing to work on the preparation of four zoning ordinance text amendments for presentation to the City Council. Two of the draft amendments, Fences and Conditional Use Permits for Recreational Vehicles, will again be presented to the City Council meeting at their June meeting (please refer to separate staff reports in this month's meeting packet for additional detail).

   It is staff's intent to continue to follow-up at subsequent Council meetings with code amendment information addressing transitional and supportive housing and shelters and cottage foods. It is noted to the Council that staff has re-advertise the fence code amendment and the occupancy of recreational vehicles amendment prior to the May Council meeting to provide an opportunity for the public to become aware of the City's contemplation of the draft amendments.

4. *Program Income Reports and Program Income Re-use Plan*:
   PMC has submitted a draft of the City's required Program Income Re-use Plan and Re-use Guidelines to HCD as a result of the City's continued receipt of Program Income from the repayment of past loans. Upon approval of the re-use plan and program income re-use guildelines, and upon preparation of the FY2012-2013 annual report, the City will again return to a "compliant" status relative to its use of CDBG funds. A brief summary of the Re-use plan is as follows:

In past years the City has received CDBG grants from the state of California through the Department of Housing and Community Development (HCD). Some of these grants were used to fund loans to lower income households for housing repairs and home purchase. Over time these loans are paid back. The CDBG program describes this sort of income as "program income" and restricts its use.

In order to retain and use CDBG program income, HCD requires that the City have a "Program Income Re-use Plan" in place. This plan must be adopted by the City Council. Without such a plan in place, the City cannot use the program income it receives.

The Program Income Re-use Plan is a form document provided by HCD. The form allows grantees to choose up to four pre-defined uses of program income. These are:

- Single Family Housing Rehabilitation,
- Home Buyer Assistance,
- Business Assistance (low-income jobs creation),
- Micro-enterprise Assistance (low-income, less than five persons).

Staff has determined that based on the relatively small amount of program income accrued and the relatively low volume of repayments, operating an ongoing program is not cost effective. The best use of funds would be a one-time project such as a public facility improvement or infrastructure. The City can do this by submitting a "Program Income Waiver" request to HCD, or by committing accrued program income to a new CDBG application. (The project would be funded with new CDBG plus program income.)

Staff have discussed this with HCD and been informed that to even retain current and future program income for future us on a yet to be determined project, the City must have an adopted PI plan and adopted program guidelines.

Staff are recommending that the City indicate that all program income be deposited in a Single Family Housing Rehabilitation revolving loan fund. This is the most cost-effective option because the City already has drafted program guidelines that are easily and quickly updated.

Staff have provided HCD with a copy of a draft Program Income Re-use Plan and draft Single Family Housing Rehabilitation Program guidelines. Staff will revise these documents based on comments from HCD. After HCD approves the draft, the final documents must be adopted by the City Council and formally submitted to HCD. Once HCD approves the Plan and Guidelines, the City will be able to submit a request to HCD for a one-time use of funds, or commit the funds to a new CDBG application.

The Council should also know that up to 17% of the program income received each year may be used for the ongoing administration of the CDBG grant including reporting and new applications. These funds may also be used for special studies and plans provided that HCD approves the special use. HCD must approve the final work product for the use to be eligible for CDBG funding.

Full copies of the re-use plan and guidelines will be submitted to the Council for review and action following the receipt of input from HCD on the draft documents. It is currently anticipated that this will occur in the mid- to late-summer time period.

5. *General Plan EIR – Notice of Completion and Public Circulation*:
   PMC is working with the project Traffic Consultant and Noise consultants to finalize the Draft EIR for the General Plan Update effort. It is currently believed that the administrative draft of the EIR will be available for internal review in mid-July. After the review of the ADEIR, staff will formally circulate the DEIR for the required 45-day review period. Copies of the ADEIR will be made available to the Council upon their completion.

6. Draft Request for Proposal for Demolition Services – 3069 Eighth Street
   PMC and the City Administrator are working to get bids on the preparation of a Phase I report and materials testing to be undertaken prior to the initiation of any efforts to demolish the existing structure. At this time is believed that a Phase I environmental report along with materials testing for asbestos, lead paint and underground tank materials may be required.

<u>Monthly Department Activity Report:</u>

1. *Applications / Planning Services Activities:*
   Applications: 1 – Tentative Parcel Map 2013-01 (R. Casey): A request to re-divide three parcels located between Tenth and Eleventh Streets and north of B Street into two parcels. Both of the proposed parcels have existing residential dwellings on the proposed parcels. The project has been routed for technical review with comments requested by Friday, June 14th. This project will require action by the City Council.

2. *Public Contact / Information Requests:*
   - Illegal Fence / Code Enforcement Action: T. Grey. Staff has initiated Code Enforcement efforts on the illegal fence at this location. The property owner has indicated to staff that it is their intention to address this matter with the City Council at the June meeting. Staff has indicated to the property owner that they will be continuing to pursue compliance at this time.

- Follow-up: Having received no input from the City Council as a result of the presentation of project design drawings, Staff has approved the request by the Community Housing Improvement Program (CHIP) for design approval for the project. Additionally, staff has assigned addresses to the parcels in the project at the request of the property owner and has provided such at this time. Representatives from CHIP continue to maintain a desire to start the building permit process in early Fall of this year.

3. *Butte County Building Permit Issuance*:
   - One (1) building permit was identified as being issued in the City during the reporting period. The permit was for the upgrade of an existing electrical service.

4. *Code Enforcement: General*

   Primary code enforcement activity during the reporting period has been focused on normal Spring-time nuisance vegetation matters. During the reporting period, nine (9) formal abatement notices were issued with seven (7) properties abating the identified nuisance conditions (all vegetation related).

   It was noted to the City Council in May that formal abatement proceedings might be necessary at two locations (B Street and 3rd Street) due to non-compliance and statements made by property owners that no actions are planned. However, one of those properties has since addressed the noted violations and one has not. A second notice violation was send during the week of May 20th and formal abatement hearing may need to be scheduled during the second week of July if no action is taken by Friday, June 14th.

   Additionally, staff has sent seven (7) new first notices for vegetation related violations at the request of the Fire Department of which four (4) have been abated at this time.

5. *Regional Planning Activities*:

   No notable activities have occurred during the reporting period on any of these projects.

<u>Misc. Planning Communications/Updates:</u>

- *Nothing to report*

<u>*Activity Report Attachments:*</u>

- *Sixth Street Bridge Section 1602 Permit (available upon request)*