



# **Town of Paradise**

## **Planning Commission Meeting Minutes**

### **6:00 PM – March 18, 2025**

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

**CALL TO ORDER** by Chair Holman at 6:00 p.m. who led the pledge of Allegiance to the Flag of the United States of America.

**PLANNING COMMISSIONERS PRESENT:** Lynn Costa, Kim Morris, Zeb Reynolds and Chair Charles Holman.

**PLANNING COMMISSIONERS ABSENT:** Carissa Garrard

#### **1. APPROVAL OF MINUTES**

- 1a. **MOTION by Morris, seconded by Costa**, approved the Regular Meeting Minutes of February 18, 2025, Planning Commission meeting. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

#### **2. COMMUNICATION**

- 2a. Community Development Director Susan Hartman provided an overview of recent Town Council actions including adoption of the downtown zoning and PID Corp Yard zoning changes; approval to advertise for two Planning Commissioner positions; provided direction to draft changes to the Municipal Code which would allow agricultural buildings in the AG 3/5 zones without a primary structure and changes to the animal keeping code; and provided direction to draft a prescribed burning policy.

#### **3. PUBLIC COMMUNICATION – None**

ITEM 5B WAS MOVED TO THE TOP OF THE PUBLIC HEARING CALENDAR BY COMMISSION CONSENSUS.

- 5b. Senior Planner Amber DePaola provided an overview of the Heinke Nursery Conditional Use Permit Application and reminded Commission and the applicant that if approved, there would be a 7-day appeal period before permits could be issued.

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

1. Applicant Terran Heinke shared his plans to phase out his current nursery on Clark Rd and to completely work out of the Skyway facility within the next year. He also asked questions regarding the fencing conditions as stated in the proposed use permit.
2. Adam Duffy spoke in favor of this item.
3. Paul Colvin spoke in favor of this item.

4. Monica Brinkmann spoke in favor of this item.

Chair Holman closed the public hearing at 6:21 p.m.

**MOTION by Reynolds, seconded by Holman**, approved the Heinke Nursery Conditional Use Permit Application (PL24-00087) for the development of a retail nursery and construction of a new metal building as conditioned. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

### **GENERAL CONDITIONS**

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit's effective date, the conditional use permit may become subject to revocation by the Town of Paradise.
2. Outside light fixtures associated with the project shall be designed to not exceed a height of sixteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties. Specifically at the rear of the property where residential properties may be affected, it is required to have motion sensor installed only.
3. Maintain the property in a manner consistent with the Town of Paradise Design Standards and the commercial property maintenance standards found in Paradise Municipal Code (PMC) Section 8.04.010.G.
4. All activities associated with the proposed warehousing sales shall be conducted in compliance with the Town of Paradise Noise Control Ordinance (PMC Chapter 9.18).
5. The property owner shall be required to establish and maintain solid waste collection services for the project property provided by the franchised solid waste hauler, for the duration of the land use. A trash enclosure under separate permit is required.
6. Secure Town of Paradise design review approval for any new business sign prior to the establishment of such signs on the site.
7. Meet all guidelines of the Clark Road and Community Commercial Area Design Guidelines and follow the Design Review Committee's requirements for approval of the new structure(s).

### **CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)**

#### **SITE DEVELOPMENT**

8. Secure the issuance of an encroachment permit from the Town Public Works Department for the upgrade of any driveway encroachments to the Town's private driveway standard in a manner deemed satisfactory to the Town Engineer.

## **PLANNING COMMISSION MINUTES**

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9. Submit a detailed Soil Erosion and Sediment Control Plan to the Town Public Works Department for approval by the Town Engineer PRIOR to the start of any earthwork. Show all erosion control devices and sedimentation basins required by Paradise Municipal Code Section 15.04.280.
10. The applicant shall comply with Chapter 8.56 "Stormwater Quality" of the Paradise Municipal Code (PMC). This includes compliance with Section 3.2 Discretionary (Plan Check) Projects Town's Post-Construction Standards Plan (Plan) which states that the applicant shall provide information about the project. The information shall determine the status of the project and applicable requirements under the Plan. The applicant shall fully comply with the Plan.
11. Any gates will need to be placed back away from the edge of the right of way. Vehicles must not obstruct the right of way.
12. Submit copies of an engineered site plan and grading plan related to the project site's proposed new features (i.e. parking facility, walkways, and culvert installation) to the Public Works Department (engineering division) for approval and pay applicable fees per the current fee schedule. Approval of the detailed site plan by the Town Engineer is required **PRIOR TO COMMENCEMENT** of site work for the project.

### **SANITATION**

13. Barricade both existing septic tanks from vehicle traffic and stockpiling in a manner deemed satisfactory to the Town Onsite Sanitary Official.
14. Secure Onsite Wastewater Division Land Use Review approval for the converted use of the existing septic system and secure any necessary construction permit to upgrade and improve the wastewater disposal system serving the project.

### **CONSTRUCTION**

15. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit application, and all applicable town adopted construction code requirements. Use of a temporary commercial job trailer will require application and issuance of a temporary use permit in addition to a building permit.
16. Pay any applicable development impact fees, including Paradise Unified School District Fees, prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

### **CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION AND OCCUPANCY**

**SITE DEVELOPMENT**

17. Required landscape plans for the proposed project shall be designed by a licensed Landscape Architect OR licensed installer to provide for landscaping comprising a minimum of ten percent of the developed area of the site. Landscape Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance (MWELO). Plan APPROVAL is required PRIOR to 4-way inspection. Site landscaping shall provide screening to neighboring properties and be installed or bonded prior to final building inspection. Landscaping and any site fencing must meet Paradise Municipal Code (PMC) Section 8.58 "Defensible Space and Hazardous Fuel Management".
18. The required trash enclosure shall meet the requirements of the Town of Paradise design standards for the Clark Road and Community Commercial design guidelines, as well as the Northern Recycling & Waste Services requirements.
19. Meet all requirements of the Engineering Division in accordance with written project review comments dated September 30, 2024; constructing all necessary site, drainage, access, and other facilities improvements as required by the Town Engineer. All construction shall be in conformance with generally acceptable engineering and construction practices.
20. All flammable vegetation shall be removed to the standards listed in Paradise Municipal Code Chapter 8.58 *Defensible Space and Hazardous Fuel Management* at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.

**SANITATION**

21. Complete the requirements of the Town Onsite Sanitary Official regarding the connection of the new building to the existing septic system and any necessary septic system upgrades.

**FIRE PROTECTION**

22. Meet all applicable project fire code requirements, as determined by the Town Fire Marshal.
23. A Knox emergency access key box is required at the main building entrance doorway with the specific mounting location approved by the Town Fire Marshal.

**UTILITIES**

Meet any requirements of the Paradise Irrigation District (PID) in accordance with written communication from PID staff regarding the Heinke Nursery Use Permit Application, received by the Planning Department February 5, 2024, and on file with the Town Development Services Department.

#### 4. CONTINUED PUBLIC HEARING

- 4a. Community Development Manager Anne Vierra presented the proposed Temporary Use Permit Revocation recommendation for 6848 Quail Way, providing Commission with a history of the defensible space and permit condition violations on the property.

Chair Holman opened the public hearing at 6:31 p.m.

1. Property owners Hilarylee and Terry Johnson reviewed their progress in clearing their lot to the Town's weed abatement standards.

Chair Holman closed the public hearing at 6:54 p.m.

**MOTION by Reynolds, seconded by Holman**, approved extending the permit through the end of the Interim Urgency Ordinance on April 30, 2025. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

#### 5. PUBLIC HEARING

- 5a. Senior Planner Amber DePaola provided an overview of the Fisher Conditional Use Permit Application and reminded Commission and the applicant that if approved, there would be a 7-day appeal period before permits could be issued.

Chair Holman opened the public hearing at 7:03 p.m.

1. Applicant Michelle Fisher addressed the standing violations on the property at Commissioner Reynold's request.

Chair Holman closed the public hearing at 7:10 p.m.

**MOTION by Costa, seconded by Holman**, approved the Fisher Conditional Use Permit Application (PL25-00018) for the reconstruction of a legal nonconforming single-family dwelling that was destroyed in the Camp Fire, as conditioned. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

#### **GENERAL CONDITIONS**

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit's effective date, the use permit may become subject to revocation by the Town of Paradise.
2. Pay any applicable development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.
3. Development on the property shall comply with the site development regulations outlined in Paradise Municipal Code (PMC) Section 17.20.400.

**CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)**

**Construction codes**

4. Complete the requirements of the Town Building Official & Fire Marshal regarding submittal of construction plans, building permit application, and all applicable town adopted construction code requirements.
5. Meet the requirements of PMC Section 8.58.060 including the use of noncombustible materials within 5 feet of the proposed structure.

**Grading and Drainage**

6. If disturbing more than 50 cubic yards of soil outside of the building footprint, secure a grading permit and meet the requirements of the Engineering Division.
7. Submit Erosion and Sediment control plan for review by the Engineering Division.

**Site Development**

8. Submit a site plan to the Engineering Division for approval **prior to** building permit issuance (site plan must show all grading as required per Town Municipal Code Section 15.02.150.1 - Section J104.2, including, but not limited to: finished floor, finished grade, contours, slopes, limit of grading, cut/fill, grades, etc.). Show slopes and limits of grading near building (include flow direction arrows, slope percentage, what is existing, and delineate any cut/fill).
9. All structures related to the residential development of this parcel shall abide by a minimum 5-foot setback from both rear and side property lines.
10. Prior to the issuance of a building permit authorizing the establishment of a residence within 140 feet of the centerline of Skyway, the project developer shall submit an assessment of potential noise impacts prepared by a qualified individual in accordance with the acoustic analysis policies within the General Plan Noise Element.

**Sanitation**

11. Apply for, and secure, an Onsite Wastewater Division building clearance for the building sewer connection to the existing septic system with a site plan detailing how the connection will be made showing slope, pipe specifications and location of a two-way cleanout.

**CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION  
AND CERTIFICATE OF OCCUPANCY**

**Utilities**

12. Meet the requirements of the Paradise Irrigation District (PID) regarding any required testing, water meter upgrade and backflow prevention assembly, in accordance with the written comments from PID staff dated February 20, 2025, and on file with the Town Development Services Department.
13. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.

**Site Development:**

14. Approved numbers or addresses shall be placed on the building above the doorway, or in such a position as to be visible from the street or road fronting the property.
15. All flammable vegetation shall be removed to the standards listed in Paradise Municipal Code Chapter 8.58 *Defensible Space and Hazardous Fuel Management* at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.

**Sanitation**

16. Connect to the existing septic system in a manner deemed satisfactory to the Town Onsite Sanitary Official.

**Fire Protection**

17. Complete the requirements of the Fire Marshal regarding design plans submittal and installation of an automatic fire sprinkler system for the residence.

5b. ITEM 5B WAS MOVED TO THE TOP OF THE PUBLIC HEARING CALENDAR BY COMMISSION CONSENSUS.

**6. OTHER BUSINESS - None**

**7. COMMITTEE ACTIVITIES - None**

**8. COMMISSION MEMBERS**

- 8b. Community Development Director Susan Hartman reviewed future agenda items including new regulations on animal keeping and to AG 3/5 zoning.

**9. ADJOURNMENT**

Chair Holman adjourned the meeting at 7:15 p.m.

Date Approved: May 20, 2025

By:

Attest: 5-20-2025

\_\_\_\_\_/s/\_\_\_\_\_  
Charles Holman, Chair

\_\_\_\_\_/s/\_\_\_\_\_  
Melanie Elvis, Town Clerk/Elections Official