



TOWN OF PARADISE

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PLANNING COMMISSION MINUTES

November 21, 2017

6:00 PM

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

COMMISSIONERS PRESENT: James Clarkson, Ray Groom, Anita Towslee and Martin Nichols, Chair

COMMISSIONERS ABSENT: Stephanie Neumann

1. APPROVAL OF MINUTES

- 1a. **MOTION by Clarkson, seconded by Towslee**, to approve the Regular Meeting Minutes of October 17, 2017. Roll call vote was unanimous with Neumann absent and not voting.

2. COMMUNICATION

- a. Recent Council Actions - None
- b. Staff Comments – Community Development Director Baker informed the Commissioners that the administrative draft Environmental Impact Report for the Black Olive Village Project (Safeway) has been received, is being reviewed and upon completion will come to the Planning Commission for approval.

3. PUBLIC COMMUNICATION - None

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. Consider adopting Resolution No. 17-02 Recommending Town Council Adopt a proposed Ordinance to Amend Chapter 16.11 of the Paradise Municipal Code (PMC) relating to forms of security for deferred construction of subdivision improvements that are the subject of improvement agreements within the Town in accordance with Government Code sections 66499.1, 66499.3, 66499.4 and any other forms of security as provided in Government Code section 66499.

Community Development Director provided a brief overview of the proposed changes to the Paradise Municipal Code, Chapter 16.11 relating to forms of security required for deferred construction of subdivision improvements that are subject of improvement agreements within the Town in accordance

with the State code. The Towns ordinance is not consistent with the States and this resolution will allow the Town to be consistent.

Town Attorney Moore informed the Commissioners that the text amendments will follow state law and allow other types of securities, make it more flexible and provide more options. It will allow deeds of trust, bonds, stocks and other guarantees.

Commissioners asked what would happen if the developer defaulted on the project.

Attorney Moore stated that the Town would foreclose on the property and file a lawsuit, which does not limit the amount of money that could be made. Bonds and sureties are not always available when a claim is filed.

Chair Nichols opened the public hearing at 6:11 pm.

1. Chuck Rough, representative for Achieve Charter High School and project manager, provided a brief overview of the Achieve Charter High School project and stated that the school is in support of the proposed text amendments.

Chair Nichols closed the public hearing at 6:14 p.m.

MOTION by Clarkson, seconded by Groom, approved Planning Commission Resolution No. 17-02, "A Resolution of the Paradise Planning Commission recommending Town Council adoption of Text Amendments to Chapter 16.11 of the Paradise Municipal Code Relative to Forms of Security for Deferred Construction of Subdivision Improvements". Roll call vote was unanimous with Neumann absent and not voting.

- 5b. a. Item to be determined to be exempt from environmental review

HOPE CHURCH MODIFIED USE PERMIT APPLICATION (PL17-00210):
Consideration of a modified use permit application authorizing a \pm 999 square foot addition to the sanctuary of an existing religious assembly land use on a 4.03 acre property zoned Rural Residential - 2/3 acre minimum (RR-2/3) located at 6933 Pentz Rd. and further identified as Assessor Parcel Number 050-082-018.

Assistant Planner Hartman provided an overview of the proposed project and stated that the project is categorically exempt from environmental review under the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, (Class 1) of the CEQA guidelines.

Chair Nichols opened the public hearing at 6:17 pm.

1. Hollis Lundy, L&L Surveying and representative for Hope Church stated that the conditions have been read, approve of them and are ready to proceed.

Chair Nichols closed the public hearing at 6:17 p.m.

Mr. Baker submitted a letter from Dan Hegenbart, for the public record, regarding the project stating drainage concerns.

MOTION BY Groom, seconded by Clarkson, adopted the required findings for approval as provided by staff, and approved the Hope Church modified use permit application (PL17-00210) for property located at 6933 Pentz Road (APN 050-082-018) requesting authorization to expand an existing religious assembly land use, subject to the following conditions of approval. Roll Call vote was unanimous with Neumann absent and not voting.

GENERAL CONDITIONS OF PROJECT APPROVAL

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. Any work within the Pentz Road public right of way is subject to Town issuance of an encroachment permit, which will require that the contractor be properly licensed and bonded with the Town of Paradise.
3. 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.
4. Maintain on-site parking facilities in accordance with all town parking ordinance regulations.
5. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal use permit modification review and the payment of the appropriate processing fees.

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

SITE DEVELOPMENT

1. Secure Architectural Design Review approval for the proposed building façade.
2. Submit construction documents and meet the requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code regulations including a separate Accessibility site plan that is reviewed and approved by a State of California Certified Access Specialist *prior to* submission to the Town of Paradise.
3. The addition to the church sanctuary shall not exceed **999 square feet** as identified and proposed on the site plan dated received on September 21, 2017 on file with the Development Services Department.

SANITATION

4. Apply for, and secure, an onsite sanitation upgrade/alteration permit for the installation of additional leach line to accommodate the building expansion.

FIRE PROTECTION

5. Meet the applicable requirements of the Paradise Fire Department in accordance with the Fire Marshal's plan check review dated September 30, 2017, on file with the Town Development Services Department.

UTILITIES

6. Meet all other utility company requirements regarding the establishment of necessary utility easements and installation of new or expanded utility facilities.

OTHERS

7. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.

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

SITE DEVELOPMENT

8. Complete the project as per the Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications
9. Secure the issuance of a tree felling permit prior to the felling of any qualifying trees ($\geq 10''$ in diameter DBH or $\geq 31''$ in circumference) on or off-site.
10. Provide material evidence that 10% of the developed area of the project site has existing landscaping. If not, submit landscaping plans and application fee to the Development Services Department (planning division) in accordance with Paradise Municipal Code requirements. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans, if required, for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).

SANITATION

11. Complete the installation and connection of the additional leach lines to the existing sewage disposal system in a manner deemed satisfactory to the Town Onsite Sanitary Official.

FIRE PROTECTION

12. A Knox emergency access key box is required at the main church entrance doorway, with specific mounting locations approved by the Town of Paradise Fire Department. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access.
13. As determined acceptable by the Town Fire Marshal, meet all other project requirements of the Paradise Fire Department in accordance with the Fire Department development review comments/conditions dated September 30, 2017 and on file with the Town Development Services Department.

An appeal of the Planning Commission's decision can be made within seven (7) days of the decision date.

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

a. Identification of future agenda items (All Commissioners/Staff)

Mr. Baker stated that there is a proposed project for the old Paradise Post building to grow hops and, if the project is deemed complete, he will be asking the Planning Commission to hold a special meeting prior to the regularly scheduled meeting.

Mr. Baker updated the Commissioners on the 1450 Bader Mine property, the Carousel hotel property and the Clint Freedle project.

Mr. Nichols announced that his house had sold, he is moving to Chico and that he has had to resign from the Planning Commission and that this is his last meeting. Mr. Nichols also submitted a letter to Manager Gill and Community Development Director Baker regarding the feasibility of establishing a Paradise Food Truck Park.

Mr. Baker stated that with the resignation of Chair Martin Nichols, the Vice Chair, Stephanie Neumann, will become the Chair and a new Vice Chair will need to be appointed.

9. ADJOURNMENT

Chair Nichols adjourned the meeting at 6:33 p.m.

Date Approved: December 14, 2017

By:_____/s/_____
Stephanie Neumann, Chair

Attest:

_____/s/_____
Dina Volenski, CMC, Town Clerk