



Town of Paradise Planning Commission Minutes 6:00 PM – February 21, 2023

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

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

PLANNING COMMISSIONERS PRESENT: Carissa Garrard (Via Teams) Kim Morris, Zeb Reynolds and Lynn Costa, Chair

PLANNING COMMISSIONERS ABSENT: None

1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Reynolds**, approved Special meeting minutes of December 6, 2022. Roll call vote was unanimous.

2. SWEARING IN OF NEWLY APPOINTED PLANNING COMMISSIONER

- 2a. Town Clerk Volenski swore in newly appointed Planning Commissioner Charles Holman.

3. ROLL CALL WITH NEWLY APPOINTED PLANNING COMMISSIONER

PLANNING COMMISSIONERS PRESENT: Carissa Garrard (Via Teams), Charles Holman, Kim Morris, Zeb Reynolds and Lynn Costa, Chair

PLANNING COMMISSIONERS ABSENT: None

4. APPOINTMENT OF PLANNING COMMISSION VICE CHAIR FOR THE 2022/23 FISCAL YEAR.

- 4a. Appointment of Vice-Chair due to Ronald Lassonde being elected to the Town Council.

Chair Costa opened nominations for the position of Vice Chair.

Chair Costa nominated Commissioner Morris and the motion was seconded by Reynolds. Commissioner Morris was appointed as the Vice Chair due to the lack of any further nominations. No roll call vote was taken.

5. COMMUNICATION

- 5a. Community Development Director Susan Hartman reported that the Town Council discussed the use of Transient Occupancy Tax and how it could be allocated: the Business and Housing department approved an MOU with Non Profits to secure land for future homes to be built; reviewed a draft of the Advocacy Platform document; approved the Intermunicipal Agreement with the City of Chico for the Sewer System and will be discussing the Urgency Ordinance regarding the storage provisions of trailers on property.

6. PUBLIC COMMUNICATION - None

7. CONTINUED PUBLIC HEARING - None

8. PUBLIC HEARING

- 8a. Consider adopting the required findings for approval as provided by staff and approve the Francis conditional use permit application (PL22-00117) to allow the reestablishment of a legal non-conforming multi-family development consisting of two duplexes.

Community Development Director Susan Hartman provided an overview of the proposed project regarding the Francis conditional use permit application. Ms. Hartman clarified that there is a seven-day appeal period and that no permits can be issued until that period is closed.

Chair Costa opened the public hearing at 6:14 p.m.

Randy Cowan, Project designer, spoke in favor of the project.

Chair Costa closed the public hearing at 6:15 p.m.

Community Development Director Hartman announced that there is a seven (7) day appeal period prior to any permits being issued.

MOTION by Morris, seconded by Reynolds, adopted the required findings for approval as provided by staff and approved the Francis conditional use permit application (PL22-00117) to allow the reestablishment of the legal non-conforming multi-family development consisting of two duplexes. Roll call vote was unanimous subject to the following conditions.

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. 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.
3. 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 by the Planning Commission and the payment of the appropriate processing fees.
4. Pay all applicable development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.
5. Each duplex building shall not exceed a footprint of 2,950 sq. ft. and the overall development on the property shall comply with all site development regulations outlined in PMC 17.14.400.

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

Construction codes

6. Complete the requirements of the Town Building Official regarding submittal of construction plans, building permit application, accessibility, and all applicable town adopted construction code requirements.
7. Meet the requirements of Paradise Municipal Code Section 8.58.060 *Defensible space/hazardous fuel management* which regulates combustibles within 5' from a dwelling unit.

Grading and Drainage

8. Submit an erosion & sediment control plan worksheet 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 15.02.150.
9. 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).

Site Development

10. Any work within the Town right-of-way will require an encroachment permit through the Engineering Division.

Sanitation

11. Secure a repair permit from the Onsite Wastewater Division for the replacement of the failed septic tank serving the duplex buildings.

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 water meter upgrade and backflow prevention assembly.
13. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.

Site Development:

14. Complete the requirements of the Fire Marshal regarding plans submittal and installation for an Automatic Fire Sprinkler System for the proposed duplexes.
15. Approved numbers or addresses shall be placed on all buildings above the doorway, or in such a position as to be visible from the street or road fronting the property.
16. Meet the requirements of the Town Onsite Sanitary Official regarding inspection and approval of the repairs to the septic system.

Planning Commissioner Morris asked that agenda item 8c be moved in front of agenda item 8b due to the potential length of time agenda item 8b could take. All Commissioners concurred to move up agenda item 8c before item 8b.

8c. Consider adopting the required findings for approval as provided by staff and approve the Northwind Senior Apartments Site Plan Review permit application (PL22-00118) to allow the establishment of 21 senior apartments. (ROLL CALL VOTE)

Community Development Director Susan Hartman provided an overview of the Northwind Senior Apartments Site Plan Review application located at 6983 Pentz Road. Ms. Hartman clarified that there is a seven-day appeal period and that no permits can be issued until that period is closed.

Chair Costa opened the public hearing at 6:21 p.m.

1. Lauren Alexander, project representative, spoke in favor of the project.
2. Laurie Noble supports the project, but is concerned with the speed of traffic.

Chair Costa closed the public hearing at 6:27 p.m.

Community Development Director Hartman announced that there is a seven (7) day appeal period prior to any permits being issued.

MOTION by Morris, seconded by Garrard, adopted the required findings for approval as provided by staff and approved the Northwind Senior Apartments Site Plan Review permit application (PL22-00118) to allow the establishment of 21 senior apartments. Roll call vote was unanimous subject to the following conditions.

GENERAL CONDITIONS

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the permit's effective date, the site plan review 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.

3. 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, its environmental document 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 by the Planning Commission and the payment of the appropriate processing fees.
4. Pay all development impact fees, including Paradise Unified School District and Paradise Recreation and Park District, prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.
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.
6. Development on the property shall not exceed the building and impervious coverage limitations outlined in PMC 17.26.400.
7. Secure Design Review approval for any proposed free-standing sign (does not apply to the Illuminated Emergency Response Map).

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

Construction codes

8. Complete the requirements of the Town Building Official regarding submittal of construction plans, building permit application, accessibility, and all applicable town adopted construction code requirements.
9. Meet the requirements of PMC 8.58.060 by including the use of noncombustible fencing materials within 5 feet of any buildings and by maintaining a 5-foot non-combustible area around all buildings.

Grading and Drainage

10. The project developer shall submit engineered grading plans in compliance with the Paradise Municipal Code Appendix J standards and secure Town issuance of a grading permit. Pay applicable grading permit fees per current fee schedule.
11. Submit a detailed Soil Erosion and Sediment Control Plan for review by the Engineering Division **PRIOR TO** the start of any earthwork. Show all erosion control devices and sedimentation basins are required by Paradise Municipal Code Section 15.02.100.
12. Applicant shall prepare a Stormwater Post-Construction Plan for a Regulated Project (installing/replacing more than 5,000 sq ft of impervious surfaces) for review and approval by the Engineering Division.

Site Development

13. Submit three (3) copies of an engineered site plan related to the project site's proposed new features (i.e. parking facility, walkways, encroachment, and stormwater detention system) to the Engineering Division for approval prior to building permit issuance (site plan must show all grading as required per Town Municipal Code 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.). Approval of the engineered site plan by the Town Engineer is required **PRIOR TO COMMENCEMENT** of site work for the project.
14. Deed thirty feet (30') from the center of the Pentz Road right-of-way in a manner deemed satisfactory to the Town Engineer or provide a recorded document showing that this requirement has been met.
15. Secure the issuance of an encroachment permit from the Town Public Works Department for the establishment of the driveway encroachment as proposed, to the Town's private driveway standard, along the Pentz Road frontage of the project site in a manner deemed satisfactory to the Town Engineer. This will include driveway location/angle coordination with the Engineering Division for the upcoming Pentz Road widening.

Sanitation

16. Complete the requirements of the Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a wastewater disposal system to serve the proposed facilities.

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

Utilities

17. Meet the requirements of the Paradise Irrigation District (PID) regarding the water meter upgrade and backflow prevention assembly.
18. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.

Site Development:

19. Complete the requirements of the Fire Marshal regarding plans submittal and installation for an Automatic Fire Sprinkler System for the proposed apartments.
20. Construct 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.
21. Submit landscaping plans and application fee to the Planning Division in accordance with Paradise Municipal Code requirements comprising a minimum of ten percent (10%) of the developed area. Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance

(MWELo). **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).

22. Meet the requirements of Northern Recycling and Waste Services (NRWS) regarding the design and function of the solid waste/recycling enclosure and provide evidence thereof to Building Division staff.
23. In accordance with Paradise Municipal Code Section 12.08.120, California Fire Code Section 505, and California Building Code Section 502.1, the applicant shall install a site directory map to the Town's standards for an Illuminated Emergency Response Map.
24. Building facades shall be in conformance with the Architectural Design Review elevations approved January 10, 2023.

Sanitation

25. Complete the requirements of the Town Onsite Sanitary Official regarding the installation, operation, and maintenance of the required septic system.

- 8b. 1. Consider adopting the required findings for approval as provided by staff and approve the Mercy Housing/Community Housing Improvement Program Site Plan Review Permit application (PL22-00107) to allow the establishment of the proposed 140-unit housing development; and, 2. Certify and adopt the proposed Initial Study and Mitigated Negative Declaration document as it relates to the proposed the Mercy Housing/Community Housing Improvement Program Site Plan Review Permit project.

Nick Bateman, Associate Planner provided an overview of the proposed Mercy Housing/Community Housing Improvement Program (CHIP) Site Plan Review Permit which will allow a proposed 140-unit housing development to be established over seven (7) parcels along Cypress Lane and Adams Road off of Clark Road which is approximately 24 acres.

Chair Costa opened the public hearing at 6:51 p.m.

1. Seana O'Shaughnessy, CHIP, stated that this is replacing affordable housing in Paradise and supports the project.
2. Nicole Ledford, Northstar Engineering, provided information regarding the project and supports the project.
3. Dave Kling, lives at Paradise Community Village (PCV), supports the project.
4. Ashley McLaughlin, Resident Manager of PCV, supports the project.
5. Adam Thompson, supports the project.
6. Mark Thorp, Paradise Chamber of Commerce, supports the project.
7. Michelle Anderson, neighboring property owner, does not support the project.
8. Marcia Germann, neighboring property owner, has concerns about the project.
9. Amy Rohrer, Valley Contractors Exchange, supports the project.
10. Bob Irvine, former manager of the California Vacations housing, supports the project.
11. Rhonda Berndt dePineda, neighboring property owner, has concerns about the project.
12. Clariiece Tally, supports the project.

13. Seana O'Shaughnessy answered questions from the attendees and Planning Commissioners regarding the project.

Chair Costa closed the public hearing at 7:41 p.m.

Commissioners discussed the need for affordable housing in Paradise, that the project fits with the General Plan and thought that the applicant addressed all their questions and concerns.

Community Development Director Hartman announced that there is a seven (7) day appeal period prior to any permits being issued.

MOTION by Reynolds, seconded by Holman, adopted the required finds for approval as provided by staff and approve the Mercy Housing/Community Housing Improvement Program Site Plan Review Permit application (PL22-00107) to allow the establishment of the proposed 140-unit Multi-family development; and, certify and adopt the proposed Initial Study and Mitigated Negative Declaration document as it relates to the proposed Mercy Housing/Community Housing Improvement Program Site Plan Review Permit project. Roll call vote was unanimous subject to the following conditions:

GENERAL CONDITIONS

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the use permit's effective date, the site plan review 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.
3. 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.
4. All work within the public right of way is subject to Town issuance of an encroachment permit. Applicant shall secure an encroachment permit from the Town of Paradise Public Works Department, Engineering Division. All work in the public right-of-way requires a licensed, bonded, and insured contractor.
5. Secure Design Review approval of architectural design for the proposed project and for the establishment of any new sign structures and maintain the property in a manner consistent with the Town of Paradise Design Standards. The proposed buildings shall be designed and constructed of non-glare material.

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

SANITATION

6. Complete the requirements of the Town Onsite Sanitary Official concerning issuance of permit approvals for the installation of an engineered sewage treatment and disposal system to serve the proposed project. Provide evidence of having completed these requirements to the Town Development Services Department,

Building Division.

SITE DEVELOPMENT

7. Provide evidence of submittal of a Notice of Intent (NOI) to the State of California Regional Water Quality Control Board (RWQCB) and provide the Town with a copy of the project Storm Water Pollution Prevention Plan (SWPPP). Follow all State Construction General Permit requirements for graded sites over one acre.
8. Apply for and secure town issuance of a grading permit for each subject parcel, satisfying all Engineering Division requirements. Pay applicable grading permit fees per current fee schedule.
9. Meet the requirements of the Town Building Official regarding the submittal of construction plans, building permit applications, and all applicable town adopted construction code requirements including those related to the required automated fire sprinkler system.
10. Submit three (3) copies of an engineered site plan related to the project site's proposed new features (i.e. parking facility, walkways, encroachment, and stormwater detention system) to the Engineering Division for approval prior to building permit issuance (site plan must show all grading as required per Town Municipal Code 15.02.150.1 - Section J104.2, including, but not limited to: finished floor, finished grade, contours, slopes, limit of grading, cut/fill, grades, phasing diagrams of all plans and utilities, utility and easement vacation and relocation plans, traffic improvements, circulation routes, etc.). Approval of the engineered site plan by the Town Engineer is required **PRIOR TO COMMENCEMENT** of site work for the project.
11. Show all easements of record on the required site development plan. No structures, including buildings or other structures, may be erected within any easements, unless the easement has been abandoned in accordance with all applicable laws and regulations. The applicant shall provide documentation demonstrating the abandonment of any easements prior to the start of construction.
12. Meet all the requirements of the Town Public Works Department, Engineering Division related to the Special Permit Zone (SPZ) including providing sufficient detail on the required engineered site plan to assess limits of the SPZ, impacts, and any required mitigations.
13. Prepare and submit stormwater calculations for the existing and proposed site improvements to the Town Engineering Division.
14. Complete all aspects of the proposed property boundary adjustments. These include applying for the proposed adjustments through the Town of Paradise Development Services Department and meeting all requirements of the Town Engineering Division, securing their approval, and recording the final adjustments with the Butte County Clerk Recorders Office.
15. Apply for and secure approval of a Stormwater Post Construction Plan for a Regulated Project through the Town Engineering Division.

16. Submit detailed solid waste enclosure plans to the Town Development Services Department, Building Division for review and approval by the Town's Solid Waste Provider. Include detail sufficient to assess conformance with all solid waste standards including truck access, turnaround areas, and enclosure details.
17. The applicant shall submit a comprehensive construction and demolition recycling plan, which meets all local, state, and federal regulations, for review and approval by the Town Development Services Department, Building Division.

ROADS/ACCESS

18. The proposed roadway improvements shall adhere to the Town Roadway Standard Detail A-3B. Meet all requirements of the Town Public Works Department, Engineering Division, related to the development of the roadway.
19. Access from the project site to Puddle Duck Court and Paradisewood Drive shall be for used for fire and emergency vehicles only and shall be physically restricted to such purposes in a manner deemed satisfactory to the Town Fire Marshal and Town Engineer.

UTILITIES

20. The project developer shall take precautions to minimize dust emissions and soils erosion activity during project construction. Such precautions shall be detailed within a project soils erosion control plan included within the detailed site development plan and subject to review and approval by the Town Engineer and the Butte County Air Quality Management District.

OTHERS

21. Pay development impact fees to the Town of Paradise in accordance with the requirements of the Paradise Municipal Code.

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

ROADS / ACCESS

22. Street signs and pavement markings shall be provided by the developer per Town requirements and to the satisfaction of the Town Engineer.
23. Provide adequate fire and emergency vehicle access onsite and in a manner deemed satisfactory to the Town Fire Marshal.
24. A lighted directory map, meeting current Fire Department standards, shall be installed at each driveway entrance per PMC requirements (PMC 15.09.160). Design review is not required for the installation of the required lighted directory map.

SITE DEVELOPMENT

25. Submit landscaping plans and current application fee to the Development Services Department, Planning Division in accordance with Paradise Municipal Code requirements consisting of a minimum of 10% of the developed area and install approved landscape materials in a manner deemed satisfactory to the town Planning Director. Landscaping shall be focused in areas that would obscure the view of the structures plainly visible from nearby residential parcels on nearby Puddleduck Court. Installation of required landscape materials may be guaranteed by a bond (or a similar financial instrument) for a limited additional period of time determined by the Planning Director to be appropriate (ex: 90 days). Landscape Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance (MWELO). No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).
26. Construct and install all other proposed and required facilities shown on the engineered and detailed site development/improvement plan(s) approved by the Town Engineer.
27. The use of the property for this proposed purpose shall be contingent upon successful inspection by the Town Development Services department, Building Division and obtaining a signed certificate of occupancy. The applicant shall schedule and pay for all necessary inspections and shall comply with all requirements and conditions imposed by the Building Division.
28. Building facades shall be in conformance with the approved Architectural Design Review elevations.
29. Secure the issuance of a tree felling permit prior to the felling of any qualifying trees on-site.

DRAINAGE

30. The proposed site improvements and facilities shall be constructed in a manner that shall include the establishment of all necessary drainage improvement onsite to accommodate existing and additional project induced drainage flows; and without generating any off-site adverse environmental effects.

SANITATION

31. Complete construction and installation of the Town reviewed and approved engineered sewage treatment and disposal system. Installation shall meet the standards of the Town Onsite Sanitary Official.

UTILITIES

32. Meet all requirements of the Paradise irrigation District (PID) in accordance with written project review comments received from PID staff dated December 1, 2022, regarding service lateral and backflow requirements, new water service connections, and the use of easements.

33. Meet all utility company and Paradise Irrigation District requirements concerning the relocation, extension and installation of new or expanded utility facilities. Provide evidence of compliance with such requirements to the Town Building Official.

CEQA MITIGATION MEASURES

34. The project applicant shall comply with all mitigation measures related to biological resources, hazardous materials, and cultural resources, as identified in the CEQA Initial Study Mitigated Negative Declaration prepared for the project, to ensure that the project does not result in any significant adverse impacts. These include the mitigation measures identified as BIO-1, BIO-2, BIO-3, HAZ-1, HAZ-2, and TCR-1.

9. OTHER BUSINESS

Items 9a and 9b were combined and voted on as one item.

- 9a. Be prepared to publicly discuss this matter and to provide direction via an adopted motion to staff regarding any specific recommendations to be forwarded to the Town Council to facilitate additional and/or further implementation of the 2022 Paradise General Plan Housing Element; and,
- 9b. Consider adopting a motion to forward the annual implementation status report to the Town Council.

Community Development Director Susan Hartman provided an overview of the updated 2022 Paradise General Plan Housing Element and Annual Implementation Status Report for the Housing Element that the Planning Commission is being asked to provide recommendations and forward to the Town Council for final approval before being submitted to the State.

MOTION by Morris, seconded by Reynolds, to approve the 2022 Paradise General Plan Housing Element and Annual Implementation Status Report to the Town Council. Roll call vote was unanimous.

10. COMMITTEE ACTIVITIES - None

11. COMMISSION MEMBERS

- 11a. Identification of future agenda items (All Commissioners/Staff) - None

12. ADJOURNMENT

Chair Costa adjourned the meeting at 8:10 p.m.

Date Approved: March 21, 2023

By:

Attest:

_____/s/_____
Lynn Costa, Chair

_____/s/_____
Melanie Elvis, Deputy Town Clerk