

**TOWN OF PARADISE
PLANNING DIRECTOR MEETING MINUTES
REGULAR MEETING – 2:00 PM – October 23, 2013**

The October 23, 2013 Planning Director Meeting was called to order by Community Development Director/Planning Director Craig Baker at 2:00 pm in the Town Council Chamber located at 5555 Skyway, Paradise, CA 95969.

Staff Present: Community Development Director Craig Baker, Assistant Planner Susan Hartman; Town Clerk Joanna Gutierrez.

1. APPROVAL OF MINUTES

The Minutes of December 31, 2012 Planning Director meeting were approved by Director Baker.

2. PUBLIC COMMUNICATION (Public Presentation of Non-Agenda Items) – None.

3. CONTINUED PUBLIC HEARING - None.

4. PUBLIC HEARING

a. Item proposed to be exempt from environmental review:

AT&T Mobility Site Plan Review Permit (PL13-00282): Approval of a site plan review permit application proposing to authorize the establishment of a ± 130 foot-tall mono-pine wireless communications facility and a ± 322 sq ft equipment shelter upon a 3.08 acre property currently developed to accommodate religious assembly at 8792 Skyway, APN 050-070-058.

Assistant Planner Susan Hartman reported to the Planning Commission regarding the AT&T application to establish a ± 130 foot tall mono-pine communications facility and a ± 322 square foot equipment shelter to provide improved digital cellular communications service to a certain geographical area in the Town of Paradise. Ms. Hartman reviewed the design, location, and purpose of the proposed facility and stated that there must be a Town-approved site plan review permit in order for AT&T to establish the proposed wireless communication facility. As such, AT&T submittal of the application is consistent with zoning regulations assigned to the project site. Assistant Planner Hartman stated that staff is recommending an additional Condition of Land Use #17 be assigned to the project that would read as follows:

17. Stationary emergency back-up generators or equipment shall comply with applicable California State Airborne Toxic Control Measures (ATCM) as per Health and Safety Code Section 39666 (District Rule 1000).

Community Development Director Baker opened the public hearing at 2:05 pm.

1. Frank Schabarum, applicant on behalf of AT&T Mobility, confirmed that the project applicant is in agreement with the Conditions numbered 1 through 16, stated that the conditions will be incorporated into the design, asked questions relating to the public safety access and what type of equipment would be set up equipment in and/or on the facility and requested a copy of the conditions of approved with Condition #17 included. Mr. Schabarum stated for the record that he received a telephone call from Betty Gates, who didn't say anything in favor or against but informed that her property is available for lease if the current property doesn't work out for the proposed facility.

Community Development Director Baker stated that it is his understanding that the type of equipment that would be utilized is a voter repeater system. Mr. Schabarum stated he doesn't think that system will present a problem and asked if there could be an option, or condition, to allow the use of a temporary generator during construction in the event the cord wasn't long enough. Mr. Baker said that he would not consider a temporary generator as a permanent piece of equipment and that even if this isn't set forth as a condition, it would still be applicable to fixed backup generators pursuant to the Health and Safety Code.

Mr. Schabarum thanked Community Development Director Baker and Assistant Planner Hartman for their assistance and being present at the AT&T neighborhood meeting. He stated that he does not believe the project is one that will be noticed after completion.

Community Development Director Baker closed the public hearing at 2:15 pm.

Mr. Baker announced that there is a seven-day appeal period of this project and, as Planning Director, adopting the following findings and approved this AT&T Mobility site plan review permit (PL13-00282) application, thereby authorizing land use approval to establish a ± 130 foot tall, unstaffed cellular communications facility and associated ground equipment on property located at 8792 Skyway, based upon and subject to the following findings and conditions:

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines.
- b. Find that the project, **as conditioned** by the Town of Paradise is consistent with the goals, objectives, and land use policies of the 1994 Paradise General Plan; and is consistent with the zoning provisions of Title 17 of the Paradise Municipal Code.
- c. Find that the project, **as conditioned** by the Town of Paradise shall be compatible with its surrounding land uses; and it will not be detrimental to nor impair the health, safety and welfare of the residents of the town.

- d. Find that **as conditioned**, the project will not detrimentally affect existing plant and animal life in the project vicinity for the following reasons:

- 1) The project site is located within an area which has been altered by long-established residential and community service-oriented land uses;
- 2) No known outstanding wildlife habitat exists in the immediate project vicinity;
and
- 3) No known rare or endangered plants exist in the immediate project vicinity.

GENERAL CONDITIONS OF SITE PLAN REVIEW PERMIT APPROVAL

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.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT

UTILITIES

2. Meet all utility company requirements concerning the relocation, extension and installation of new or expanded utility services facilities, the establishment of utility easements, etc.
3. Notify Underground Service Alert (U.S.A.) at least two working days prior to any excavation activities on the project site.

SITE DEVELOPMENT

4. Construction plans for the proposed communications tower shall include a "monopine" design as illustrated in photo simulations submitted to the Town on September 17, 2013 and shall be designed to accommodate tower space for the following:
 - a. The potential for the future establishment of communication facilities to serve the Town of Paradise Public Works Department, Paradise Fire Department and Paradise Police Department at no cost to the Town of Paradise.
5. Expose and verify location of existing absorption field trenches in the presence of the Onsite Sanitary Official. Secure appropriate sanitation construction permit to relocate trench(es), if necessary.

6. Meet requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code requirements.

OTHERS

7. Pay development impact fees in accordance with the requirements of Chapter 3.40 (*Development Impact Fees*) of the Paradise Municipal Code.

CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION

SITE DEVELOPMENT

8. Any above-ground lighting fixtures proposed to be established in association with the project shall be shielded to prevent the projection of light onto adjoining properties and shall not exceed a height of twelve (12) feet above finished grade.
9. All fencing surrounding the proposed ground level communications facilities shall be solid fencing and a maximum of six (6) foot tall above grade.
10. Construct and install all proposed facilities in substantial conformance with project materials submitted to the Town of Paradise on September 17, 2013.
11. The proposed project facilities shall include the installation of facilities and structures that consist of non-glare material. Additionally, the project proponent shall design and establish the facilities in compliance with the standards contained within Paradise Municipal Code Section 17.42.080 (*Development and design standards*).

FIRE PROTECTION

12. Meet the applicable requirements of the Paradise Fire Department in accordance with the Fire Marshal's plan check review dated October 1, 2013, on file with the Town Development Services Department.

CONDITIONS OF LAND USE

13. No lighting fixtures shall be permanently affixed to the proposed cellular communications tower for the term of its use.
14. Any fans, blowers, generators or air conditioning equipment associated with the facility shall be located and equipped with noise attenuating devices such that nearby residences and other nearby land uses are not subjected to noise disturbances exceeding community noise standards.
15. Comply with all applicable safety standards of the American National Standards Institute (ANSI), National Council on Radiation Protection and Measurements

(NCRP) and Institute of Electrical and Electronics Engineers (IEEE).

16. All unused or obsolete towers, dishes, antennas or equipment shall be removed from the site within six months after their operation has ceased.
17. Stationary emergency back-up generators or equipment shall comply with applicable California State Airborne Toxic Control Measures (ATCM) as per Health and Safety Code Section 39666 (District Rule 1000).

Respectfully submitted,

By: _____/s/_____
Joanna Gutierrez, CMC, Town Clerk

Date Approved:

By: _____/s/_____
Craig Baker, Community Development/Planning Director