



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

[www.townofparadise.com](http://www.townofparadise.com)

## P L A N N I N G C O M M I S S I O N M I N U T E S

**6:00 PM - August 15, 2017**

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

**COMMISSIONERS PRESENT:** Stephanie Neumann, Martin Nichols, Anita Towslee, and Chair Groom.

**COMMISSIONERS ABSENT:** James Clarkson.

### 1. APPROVAL OF MINUTES

- 1a. **MOTION by Towslee, seconded by Neumann**, approved Regular Meeting Minutes of July 18, 2017. Roll call vote was unanimous with Clarkson absent and not voting.

### APPOINTMENT OF PLANNING COMMISSION CHAIR AND VICE CHAIR FOR THE 2017/2018 FISCAL YEAR.

#### a. Appointment of Chair (Secretary presiding)

Town Clerk Volenski opened up the floor for nominations for Planning Commission Chair for a one-year term commencing August 15, 2017.

Commissioner Neumann nominated Commissioner Nichols to serve as Chair for a one-year term commencing August 15, 2017.

**Motion by Neumann, seconded by Groom**, closed the nomination for position of Chair. All present approved to close the nomination, Commissioner Clarkson was absent and not voting.

The Commissioners appointed Martin Nichols to serve as Chair commencing August 15, 2017. Roll call vote was unanimous with Clarkson absent and not voting.

#### b. Appointment of Vice-Chair (Appointed Chair presiding)

Chair Nichols opened up the floor for nominations for Planning Commission Vice Chair for a one-year term commencing August 15, 2017.

Commissioner Groom nominated Stephanie Neumann to serve as Vice Chair for a one-year term commencing August 15, 2017.

**Motion by Groom, seconded by Towslee**, closed the nomination for position of Vice Chair. All present approved to close the nomination, Commissioner Clarkson was absent and not voting.

The Commissioners appointed Stephanie Neumann to serve as Vice Chair commencing August 15, 2107. Roll call vote was unanimous with Clarkson absent and not voting.

**3. COMMUNICATION**

- a. Recent Council Actions – Community Development Director Baker informed the Planning Commission that at the August 8<sup>th</sup> Town Council meeting, the Town Council approved two agreements to begin the Environmental Impact Report for the Black/Olive Village Safeway project. One agreement is with Michael Baker and another with Safeway. A scoping meeting for the project is scheduled for next week.

Assistant Planner Hartman informed the Commissioners that at the August 8<sup>th</sup> Town Council meeting they approved the Valley Vista Subdivision map and it has been recorded.

- b. Staff Comments - None

**4. PUBLIC COMMUNICATION - None**

**5. CONTINUED PUBLIC HEARING - None.**

**6. PUBLIC HEARING**

- 5a. Planning Commission consideration of a conditional use permit application proposing the establishment of a contracting office and storage of construction equipment and bulk materials on a 1.07 acre property zoned Community Commercial (CC) and located at 958 Bille Road. The project site is further identified as Assessor Parcel No. 053-021-072.

Community Development Director Baker provided the Commissioners with an overview of the project that is requesting use permit approval to establish a contractor's office, vehicle and equipment storage and storage of bulk materials. The 1.07 acre project site is located at 958 Bille Road and currently has seven wood-framed structures, most of which are unpermitted construction.

The project would bring the existing, unpermitted structures up to code, develop the gravel-surfaced interior access ways, include the installation of security fencing and the felling and removal of approximately three trees.

An initial study and proposed negative declaration document were prepared by staff and the potential environmental impacts associated with the proposed project have been determined to not have a significant adverse effect on the environment.

Chair Nichols opened the public hearing at 6:18 p.m.

1. Matt Thompson, Project Applicant – informed the Commissioners that the property would mostly be a staging facility and that there would be very little activity at the yard. Mr. Thompson stated that materials and supplies would be stored at the facility, security cameras would be installed, lighting will be kept low and that rock deliveries would probably be after 9:00 a.m.
2. Cynthia Onstein, owns three parcels behind subject property – stated that previous experience with tenants, there was a nursery facility on the property that did damage to their fence and was dusty. She is concerned with the hours of operation, the noise from large, bulk deliveries and potential dust from the materials.

3. Matt Thompson stated that the trucks accessing the property would be entering at a low rate of speed due to the size of the driveway, thereby keeping the dust down and that material/rock deliveries would not be on a daily basis, but as needed.

Chair Nichols closed the public hearing at 6:33 p.m.

**MOTION by Neumann, seconded by Groom**, adopted the required findings and the proposed negative declaration as provided by staff and approved the Thompson use permit application (PL17-00081) to allow the establishment of a contractor's office, vehicle and equipment storage and storage of bulk materials subject to conditions (listed below). Roll call vote was unanimous with Clarkson absent and not voting.

The adoption of this item is subject to the following conditions:

**REQUIRED FINDINGS FOR APPROVAL:**

- a. Find that the proposed project, **as conditioned**, will not result in a significant adverse effect on the environment because no project-induced potentially significant adverse impacts were identified within the initial study prepared for the project.
- b. Find that the project, **as conditioned**, is consistent with the Town-Commercial designation as shown on the Paradise General Plan land use map; and is consistent with the development goals, objectives and policies of all applicable General Plan elements.
- c. Find that the project, **as conditioned**, is compatible with surrounding land uses and would not be detrimental to the health, safety and general welfare of the residents of the Town of Paradise.
- d. Find that the project, **as conditioned**, will not result in a significant adverse effect on existing plant and animal life in the project vicinity for the following reasons:
  1. **The project site is located within an area that has been significantly altered by commercial and residential development spanning several decades.**
  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**

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. Secure Town of Paradise design review approval for any new business sign structures.
3. All work within the Bille 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.
4. Required landscape plans for the proposed project shall be designed 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).

5. 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.
6. 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.
7. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

**CONDITIONS TO BE MET PRIOR TO LAND USE ESTABLISHMENT**

**ROADS AND ACCESS**

8. Secure the issuance of an encroachment permit from the Town Public Works Department and construct a new driveway encroachment along the Bille Road frontage of the project site in a manner deemed satisfactory to the Town Engineer. Physical abandonment of one of the existing unimproved driveway encroachments may be required at the discretion of the Town Engineer.
9. Deed thirty feet from the center of the Bille 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.
10. Meet the requirements of the Town Building Official / Fire Marshal regarding issuance of construction permits for unpermitted structures on the project site in substantial accordance with written comments received from Town Building Official / Fire Marshal Tony Lindsey regarding the Thompson use permit project dated May 18, 2017 (attached).

**UTILITIES**

11. Meet the requirements of the Paradise Irrigation District regarding the installation of a backflow prevention assembly at the water meter serving the project site.

**SITE DEVELOPMENT**

12. Meet the requirements of the Town Building Official / Fire Marshal regarding compliance with all adopted Fire Code requirements, including fire access roads, advisory signs, addressing, vegetation clearance, storage of construction material and operation of any gates or barriers to required fire access, in substantial accordance with written comments received from Town Building Official / Fire Marshal Tony Lindsey regarding the Thompson use permit project dated May 18, 2017 (attached).

13. Submit and secure approval of required erosion control plan and a dust emissions control plan in a manner deemed satisfactory to the Town Engineer. Implementation and maintenance of the approved erosion control and dust emissions control plans shall be maintained and ongoing for the term of the proposed land use.
14. Install and/or repair and maintain six foot-tall sight obscuring fencing around equipment and bulk material storage areas in a manner satisfactory to the Town Planning Director and consistent with town zoning regulations.

**CONDITIONS TO BE MET WITHIN 180 DAYS OF LAND USE ESTABLISHMENT**

**SITE DEVELOPMENT**

15. Submit landscaping plans and current application fee to the Development Services Department (Planning division) in accordance with Paradise Municipal Code requirements and install approved landscape materials in a manner deemed satisfactory to the town Planning Director. 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).

**CONDITIONS OF LAND USE OPERATION**

16. Hours of operation for the proposed contracting service and equipment and bulk materials storage land use shall be limited to from 8:00 a.m. to 5:00 p.m., Monday through Friday.
17. All activities associated with the proposed contracting service and equipment and bulk materials storage land use shall be conducted in compliance with the Town of Paradise Noise Control Ordinance.
18. Any future accessory residential occupancy on the project site shall be subject to approval by the Paradise Irrigation District for compliance with applicable water meter size requirements.
19. Changes in occupancy classifications or additions to structures on the project site may result in requirements associated with street frontage improvements, as determined by the Town Engineer and the requirements of Paradise Municipal Code Chapter 12.20.
20. If any historic or archaeological resources are discovered during the course of ground-disturbing activities, all work in the area of the discovery shall cease until a qualified archaeologist has evaluated the site and made appropriate recommendations.

The decision of the Planning Commission can be appealed to the Town Council within 7 days.

**7. OTHER BUSINESS**

All Commissioners present voted unanimously to approve the appointment of Commissioners Groom and Neumann as Representatives to serve upon the Town of Paradise Landscape Committee (Appeals body) during the FY 2017-2018. (Requirement of PMC Chapter 15.36). Commissioner Clarkson absent and not voting.

**8. COMMITTEE ACTIVITIES – None**

**9. COMMISSION MEMBERS**

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

Community Development Director Baker informed the Commissioners about a potential public hearing for the September 19, 2017 meeting regarding the Indian Rock Springs Tentative Map and stated that the Safety Element may not be on the agenda until later in the year.

Commissioner Groom informed the committee that he would not be at the September 19, 2017 Planning Commission meeting.

Commissioner Neumann expressed concerns about the increased traffic issues at Center Street and the Dutch Bros. Coffee Shop. Mr. Baker directed Commissioner Neumann to discuss the issue with Town Engineer Marc Mattox.

**10. ADJOURNMENT**

Chair Nichols adjourned the meeting at 6:43 p.m.

Date approved: September 19, 2017

By: \_\_\_\_\_/s/\_\_\_\_\_  
Martin Nichols, Chair

Attest:

\_\_\_\_\_/s/\_\_\_\_\_  
Dina Volenski, CMC, Town Clerk