



TOWN OF PARADISE

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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

June 17, 2014
6:00 PM

CALL TO ORDER AT 6:01 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

PRESENT AT ROLL CALL: James Clarkson, Stephanie Neumann, Daniel Wentland and Michael Zuccolillo, Chair.

STAFF PRESENT: Community Development Director Craig Baker, Town Clerk Joanna Gutierrez, Town Manager Lauren Gill.

1. APPROVAL OF MINUTES

MOTION by Wentland, seconded by Neumann, approved the Regular Meeting Minutes of May 20, 2014 and Special Meeting Minutes of June 3, 2014. Roll call vote was unanimous.

2. COMMUNICATION

Community Development Director Baker reported on recent Council actions including approval of the Housing Element update and the introduction of Ordinance No 543 amending the Paradise Municipal Code regulations relating to fences and gates.

3. PUBLIC COMMUNICATION – None.

4. CONTINUED PUBLIC HEARING

- 4a. Item determined to be exempt from environmental review under CEQA Guidelines section 15601 (General rule exemption) PARADISE MUNICIPAL CODE: Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would add a new PMC section to regulate the outdoor display of merchandise in commercial zoning districts and amend PMC section 17.32.100(G) related to outdoor special sales, parking lot sales, swap meets and other similar sales activities.

Community Development Director Baker reported that this public hearing had been continued from March 18th, that the initial hearing was well attended, that the Planning Commission encouraged business owners to meet among themselves and with Town staff, and that staff has met at least three times with the business owners. Mr. Baker stated that the attached resolution represents a general consensus agreed upon by all parties, that there is no intent to curtail business activities, and is also aimed at preserving aesthetics of the Town.

Chair Zuccolillo opened the public hearing at 6:15 pm.

1. Carol Stark asked about non-business yard sale regulations and stated that she thinks the proposed ordinance looks good and thanked the Planning Commission for allowing business input in the process.

Mr. Baker stated that garage and yard sales are addressed in a different section of the Paradise Municipal Code.

2. Sally, from Second Hand Sally's, stated that she agrees that the proposed ordinance is suitable to her.

Commissioner Clarkson thanked the business owners for the efforts to work with the Town and for participating in the process.

The Planning Commissioners and Community Development Director Baker discussed language that would clarify the term "pedestrian walkway", which includes eliminating the term pedestrian walkway and inserting language that would preclude merchandise being placed within four feet of a doorway. Other PMC regulations exist that preclude merchandise from being displayed in public rights of way.

Commissioner Neumann stated that the language must be clear and concise, such that it can be applied equally.

Commissioner Wentland stated that the goal is to have free and available access, and that the pawn shop on Skyway displays merchandise on the sidewalk that does not impede access to the doorway.

Director Baker informed the Planning Commission that the goal is for them to provide the Town Council with a recommendation, and if the ordinance language becomes an issue it may be addressed at the Council level.

Commissioner Clarkson stated that he does not think the proposed ordinance articulates its purpose to address aesthetics and stated that he would like the ordinance to address the "why," and he believes there is a reason to create an awareness that the Town is trying to make the business area more attractive and suggested the following language be included:

Regulations affecting the outdoor display of merchandise are established so that outdoor merchandise displays have an appearance designed to attract and promote business and to avoid the random placement of merchandise that lacks thematic continuity.

Commissioner Wentland stated that he likes Commissioner Clarkson’s idea and that the language could be included as a statement of intention or purpose. Mr. Wentland also proposed an amendment to PMC section 17.32.100G regarding outdoor special sales, etc., that would allow no more than three (3) consecutive days or more than a total of twenty-one (21) days in the same year. This would permit the outdoor activities to occur over a three-day weekend.

Commission Neumann stated that she thinks this the ordinance is a good start in controlling the creep of merchandise yet still allows business owners to do what they think is helpful to their business.

1. Carol Stark stated that she agrees with the three days for outdoor sales activities, informed the Planning Commission that there is a new business in Town that has had merchandise outside for several weeks and that numerous members of the public have complained to her about this business.
2. Marilyn Conner informed the Planning Commission that she and her husband are the owners of the business referred to by Ms. Stark. Ms. Conner stated that they are in the process of completing the inside improvements that must be done prior to moving in, and that they have been working very hard to get the outside cleaned up.

Chair Zuccolillo closed the public hearing at 6:50 p.m.

Community Development Director stated that the proposed amendments to the resolution are as follows:

SECTION 1

Add Subsection A:

- A. Purpose. Regulations affecting the outdoor display of merchandise are established so that outdoor merchandise displays have an appearance designed to attract and promote business and to avoid the random placement of merchandise that lacks thematic continuity.
- B. As is.
- C. In no event shall merchandise be displayed within public right-of-ways, vehicle access ways, doorways for required pedestrian access, or parking areas, unless expressly authorized pursuant to Chapter 17.32 of this Title.

SECTION 2

- G. Outdoor specials (etc.) ... for not more than three (3) consecutive days or more than a total of twenty-one (21) days in the same year.

MOTION by Wentland, seconded by Zuccolillo, approved the proposed amendments and adopted Planning Commission Resolution No. 14-4, A Resolution of the Paradise Planning Commission Recommending town Council Adoption of Text Amendments to Chapters 17.06 and 17.32 of the Paradise Municipal Code Relative to the Outdoor Display of merchandise and Outdoor Special Sales. Roll call vote was unanimous.

- 5. PUBLIC HEARINGS – None.
- 6. OTHER BUSINESS – None.
- 7. COMMITTEE ACTIVITIES – None.
- 8. COMMISSION MEMBERS – None.
- 9. ADJOURNMENT

Chair Zuccolillo adjourned the meeting at 6:55 p.m.

Date Approved: October 21, 2014

By: _____/s/_____
Michael Zuccolillo, Chair

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