



Town of Paradise

Planning Commission Minutes

November 16, 2021
6:00 PM

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

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

1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Lassonde**, Approved Regular Meeting Minutes of October 19, 2021 with the correction to Condition 14 on the Burnt Barn Use Permit. Roll call vote was unanimous.

2. COMMUNICATION

Community Development Director Susan Hartman provided an update on Town Council actions which included the approval of the amended Exceptions Committee Application and the introduction of an amendment to the Defensible Space Ordinance which would require a Certificate of Compliance by the Fire Prevention Office prior to the close of every escrow effective April 1st.

3. PUBLIC COMMUNICATION - None

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. Associate Planner Chris Smith provided an overview of the Sadler Conditional Use Permit Application (PL21-00096) and requested Commission approve the project based on staff's recommendations.

1. The applicant, Dan Hays, answered Commission's questions and reviewed some of the design features about the façade of the building.

Chair Garrard opened the public hearing at 6:20 p.m.

There were no public comments.

Chair Garrard closed the public hearing at 6:20 p.m.

MOTION by Morris, seconded by Costa, adopted the required findings for approval as provided by staff, and approved the Sadler Conditional Use Permit Application (PL21-00096) and affirmed staff's recommendation to approve this project subject to the following conditions of approval below. Roll call vote was unanimous.

Commission was reminded that there is a seven-day appeal period and that no permits could be issued until that appeal period had closed.

GENERAL CONDITIONS

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 conditional use permit may become subject to revocation by the Town of Paradise.

1. All existing structures and signs on-site, relating to the construction sales and service land use, must meet minimum property line setbacks.
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. Maintain the property in a manner consistent with the Town of Paradise Design Standards.
4. If the facility handles or stores hazardous materials or waste at or above reportable thresholds, the facility shall submit a Hazardous Material Business Plan into the California Environmental Reporting System (<https://cers.calepa.ca.gov/>) within 30 days of storing reportable hazardous materials as required by California Health and Safety Code Division 20, Chapter 6.95, Article 1, Section 25507 through 25508.2. Reportable quantities include 55-gallons or greater for a liquid, 200 cubic feet at standard temperature and pressure for a compressed gas and 500 pounds for a solid.
5. All activities associated with the proposed contracting service, equipment and storage land use shall be conducted in compliance with the Town of Paradise Noise Control Ordinance.
6. Concrete processing, including but not limited to batching and mixing, shall not take place on site.
7. Before a second business can occupy the vacant partition, wastewater calculations and a land use review must be completed by the Town's Onsite division.
8. 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 construction sales and service land use.
9. Equipment and storage areas shall be shielded from off-site view with six-foot-tall sight obscuring fencing in a manner satisfactory to the Town Planning Director and consistent with town zoning regulations.

CONDITIONS TO BE MET PRIOR TO ISSUANCE

10. Apply for and secure Town of Paradise architectural design review approval for the project. Pursuant to Town Council resolution, there shall be no fee collected by the Town for this review process.
11. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

12. Secure the issuance of an encroachment permit from the Town Public Works Department for the unpermitted gravel driveway encroachment along the Skyway frontage of the project site in a manner deemed satisfactory to the Town Engineer.
13. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit application, and all applicable town adopted construction code requirements. Use of the temporary commercial trailer will require application and issuance of a temporary use permit in addition to a building permit.
14. Submit and secure approval of required erosion and sediment control plan and a dust emissions control plan in a manner deemed satisfactory to the Town Engineer. Implementation and maintenance of the approved erosion and sediment control and dust emissions control plans shall be maintained and ongoing for the term of the proposed land use.

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

ROADS AND ACCESS

15. Deed forty feet from the center of the Skyway right-of-way in a manner deemed satisfactory to the Town Engineer or provide a recorded document showing that this requirement has been met.

UTILITIES

16. Meet the requirements of the Paradise Irrigation District (PID) in accordance with written communication from PID staff regarding the Sadler use permit application, dated September 21, 2021 and on file with the Town Development Services Department. If potable water cannot be restored by PID prior to occupancy, evidence of an approved temporary water system will be required.

SITE DEVELOPMENT

17. 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).
18. Complete the requirements of the Town Onsite Sanitary Official concerning application, permit issuance, and installation of a replacement septic system to serve this property. Provide evidence thereof to the Town Development Services Department (building division).
19. Establish and maintain on-site parking facilities containing a minimum of 4 parking spaces per business, one of which must be a van-accessible handicap space, in accordance with all town parking ordinance regulations including an accessible path of travel from the public right-of-way to the building.

- 5b. Associate Planner Nick Bateman provided an overview of the Paradise Pentecostal Church of God Conditional Use Permit Application (PL21-00115) and requested Commission approve the project based on staff's recommendations. Mr. Bateman stated that there is a seven-day appeal period and that no permits could be issued until that appeal period had closed.

1. The contractor stated that the office will remain open during the renovation.

Chair Garrard opened the public hearing at 6:31 p.m.

There were no public comments.

Chair Garrard closed the public hearing at 6:32 p.m.

MOTION by Morris, seconded by Lassonde, adopted the required findings for approval as provided by staff, and approved the Paradise Pentecostal Church of God Conditional Use Permit Application (PL21-00115) and affirmed staff's recommendation to approve this project subject to the following conditions of approval below. Roll call vote was unanimous.

GENERAL CONDITIONS

1. If any land use for which a conditional use permit has been granted and issued is not established within three years of the permit's effective date, the conditional 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 prior to the establishment of such signs on the site.
3. Only low-growing vegetation with high-moisture content, such as flowers and ground covers and green lawns, free of dead vegetative debris, shall be allowed within five (5) feet of any structure.
4. 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.
5. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.
6. Phase 2 conversion (future) of the upstairs area to classrooms will require modification of this conditional use permit by the Planning Commission.

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

SITE DEVELOPMENT

7. Submit a detailed Soil Erosion and Sediment Control Plan 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 15.04.280.
8. Applicant shall prepare Stormwater Post-Construction Plan for a Small Project if installing/replacing no more than 5,000 sf of impervious surfaces or a Regulated Project if installing/replacing over 5,000 sf of impervious surfaces for review and approval by the Town Engineering.
9. Submit three (3) copies of an engineered site plan and drainage improvements plan related to the project site's proposed new features (i.e. parking facility, walkways, and concrete curbing) to the Public Works Department (engineering division) for approval, and pay site plan checking fee. Approval of the detailed siteplan by the Town Engineer is required **PRIOR TO COMMENCEMENT** of site work for the project.
10. Deed forty-feet (40') from the center of the Wagstaff Rd 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.

GRADING / DRAINAGE

11. If more than fifty (50) cubic yards of soil is displaced in association with the project, apply for and secure Town issuance of a grading permit satisfying all Town Public Works Department requirements. Pay applicable grading permit fees per current fee schedule.

CONSTRUCTION

12. Submit construction documents and meet the requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code regulations including Wildfire Urban Interface construction requirements.

SANITATION

13. Complete any requirements of the Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a sewage disposal system to serve the proposed land use.

SITE DEVELOPMENT

14. Complete the project as per the Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications.

15. 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.
16. Fulfill the requirements of the local solid waste services provider (NRWS) regarding the locations of solid waste containers.
17. If any parking spaces are proposed within the 50-foot setback from the centerline of Wagstaff Road, secure Town of Paradise Town Engineer approval and pay current processing fee for an application for Parking Within the Street Setback Review.

ROADS AND ACCESS

18. All work within the Wagstaff Road public right of way is subject to Town issuance of an encroachment permit from the Town of Paradise Public Works Department. All work in the public right-of-way requires a licensed, bonded, and insured contractor.

UTILITIES

19. Meet the requirements of all utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.
20. Meet all requirements of the Paradise Irrigation District (PID) in accordance with written project review comments received from PID staff dated October 1, 2021, regarding water service lateral replacement and backflow installation and any revisions thereto on file with the Town Development Services Department.

SANITATION

21. Complete the requirements of the Town Onsite Sanitary Official regarding the installation, operation, and maintenance of the required septic system. Provide evidence thereof to the Town Development Services Department (building division).

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES

Commissioner Lassonde and Community Development Director Susan Hartman will participate in a meeting with the contract engineering firm who is working on the update to the design standards for the downtown.

8. COMMISSION MEMBERS

Community Development Director Susan Hartman reported that Building and Planning are working on two other use permits to bring to Commission in December: Rental Guys off of Wagstaff for demolition and rebuild; and a non-conforming permit on Brookside Ave. that the Town had documented as a private road, that in 1924 was made public by the County. The

applicants will ask to rebuild using the 30' setback in order to keep the functioning septic. Ms. Hartman also updated Commission that Cozy Diner will have a start up on their septic on Thursday and assuming all goes well, the Town can give clearance to Butte County Health, perform a Fire Inspection and they will be ready for a Permit to Operate. She also updated Commission that Mi Rancho has opened and that there is interest for a sports bar and grill to go into the old Pelican Roost building.

9. ADJOURNMENT

Carissa Garrard adjourned the meeting at 6:39 p.m.

Date Approved: December 21, 2021

By: _____/s/_____
Carissa Garrard, Chair

Attest:

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