

PARADISE PLANNING DIRECTOR
December 12, 2011 – 10:00 a.m.
Town Council Chambers, Room 8
5555 Skyway, Paradise

M I N U T E S

CALL TO ORDER

Planning Director Craig Baker called the meeting to order at 10:00 a.m.

1. APPROVAL OF MINUTES –

The meeting minutes of August 11, 2011 were approved by the Planning Director.

2. PUBLIC COMMUNICATION – None.

3. CONTINUED PUBLIC HEARING – None.

4. PUBLIC HEARING

a. Item proposed to be determined exempt from environmental review:

ARC OF BUTTE COUNTY USE PERMIT (PL11-00331) APPLICATION: Request for Town approval of a use permit establishing a community care facility (adult day care) for up to 45 adults with developmental disabilities within an existing +/- 3,500 square foot vacant office building upon a +/- 0.52 acre property zoned Community Facilities (CF) located at 5325 Black Olive Dr., AP No. 052-250-062.

Planning Director Baker introduced Assistant Planner Hartman who explained that the permit applicant, ARC of Butte County, Inc. was requesting approval to establish a community care facility (adult day care) for up to 45 adults with developmental disabilities within an existing +/- 3,500 square foot vacant office building. The site is accessed by Black Olive and Foster roads, which are both public streets. The program will be staffed by up to 10 people with the facility being operational Monday through Friday, 8:00 a.m. to 5:00 p.m. and will focus on the development of skills required for community integration, employment and self-care. There is no major construction planned for exterior of the existing building.

Assistant Planner Hartman further reported that the project has received favorable responses from commenting agencies and appears to be a reasonable location for the establishment of a community care facility of the type proposed. The design of the proposed project is in compliance with all applicable zoning regulations and can be found to be consistent with applicable Paradise General Plan policies. Also, the project belongs to a class of projects that can be determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 (Class 3) of the CEQA Guidelines.

After reviewing the existing environmental setting and circumstances associated with this application request, it is staff's position that the requested use permit application is reasonable

and that the project applicant will serve an important community service. Therefore, staff endorses Planning Director approval of the ARC of Butte County, Inc. use permit application, based upon and subject to recommended findings and conditions of project approval.

Planning Director Baker opened the public hearing at 10:04 a.m. There were no speakers for or against and Planning Director Baker closed the public hearing at 10:04 a.m.

Planning Director Baker adopted the findings for approval as provided by staff and approved the ARC of Butte County, Inc. use permit application (PL-11-00331) authorizing the establishment of a licensed adult day care facility within an existing +/- 3,500 square foot commercial building space on property located at 5325 Black Olive Drive, subject to the following conditions:

FINDINGS FOR APPROVAL

1. Certify the Planning Director's determination 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.
2. Find that the project, **as conditioned**, is consistent with the goals and policies of the Paradise General Plan because the project will result in the establishment of a land use on property that is conditionally zoned for such use and within an existing vacant structure suitable for such use.
3. Find that the project, **as conditioned**, is in compliance with all applicable regulations of the Community Facilities zoning district.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as conditioned, will not detrimentally affect existing plant and animal life in the project vicinity for the following reasons:
 - a. The project is located within an area that has been altered from its natural state by long-established commercial and residential land uses and public infrastructure;
 - b. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - c. No known rare or endangered plants are known to exist in the immediate project vicinity.

GENERAL CONDITIONS OF USE PERMIT APPROVAL

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 or identification signs prior to the establishment of such signs.
3. The total number of clients and support staff that occupy the building proposed for

licensed adult day care occupancy shall at no time exceed the occupancy level expressly authorized by the Town of Paradise, based upon calculated wastewater generation.

CONDITIONS TO BE MET PRIOR TO OCCUPANCY

ROADS AND ACCESS

4. Deed thirty feet from the centerlines of Foster Road and Black Olive Drive to the Town of Paradise or provide a recorded deed document showing that this requirement has been met.
5. Construct or defer by covenant executed with the Town of Paradise one-half street section upgrade improvements along the project site frontage of Foster Road and Black Olive Drive to the town-adopted B-2 road standard.

FIRE PROTECTION

6. Establish and maintain compliance with all requirements of the Town Building Official/Fire Marshal in accordance with the Commercial Fire Department Condition letter dated November 30, 2011 for the ARC of Butte County use permit application (copy on file with the Town Development Services Department).

CONSTRUCTION CODES

7. Meet the requirements of the Town Building Official/Fire Marshal regarding submittal of any plans, building permit applications, and all applicable Town adopted building code requirements.

SITE DEVELOPMENT

8. Maintain the on site parking facility in substantial compliance with applicable provisions of Chapter 17.38 (*Off-Street Parking and Loading Regulations*) of the Paradise Municipal Code for the term of the proposed and conditionally authorized land use in a manner deemed acceptable to the Town Engineer, including adequate surfacing, drainage, striping and directional markings.
9. Relocate the existing, freestanding identification sign located within the Black Olive Drive public right-of-way to a location on the project site. Secure the issuance of a Town-approved administrative permit, reviewed for traffic sight distance compatibility, if the new location is within fifty feet from the centerline of any public street.

It was announced that the decision of the Planning Director can be appealed within 7 days of the decision date.

5. **OTHER BUSINESS** – None.

6. ADJOURNMENT

The Planning Director adjourned the meeting at 10:05 a.m.

Planning Director

ATTEST:

Planning Secretary