

**PARADISE PLANNING COMMISSION**  
**January 15, 2013 - 6:00 p.m.**  
**Paradise Town Council Chambers**  
**5555 Skyway, Paradise, CA**

**M I N U T E S**

**CALL TO ORDER**

The meeting was called to order by Chair Jones at 6:03 p.m.

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

**ROLL CALL**

Present at roll call were Commissioners Clarkson, Grossberger, Zuccolillo and Chair Jones. Community Development Director Craig Baker was also present.

**1. APPROVAL OF MINUTES**

**a. Regular Meeting of October 16, 2012.**

It was moved by Commissioner Zuccolillo, seconded by Commissioner Clarkson to approve the minutes of the October 16, 2012 Planning Commission meeting as submitted by staff.

**VOTE:** AYES: Commissioners Clarkson, Grossberger , Zuccolillo and Chair Jones  
**NOES:** None. **ABSTAIN:** None. **ABSENT:** None.

**MOTION CARRIES.**

**2. COMMUNICATION**

Community Development Director Baker updated the Planning Commissioners on the Town Council meeting of December 11, 2012 where the swearing in took place of new Council Members Greg Bolin, former Planning Commissioner, John Rawlings, and returning Council Member Steve “Woody” Culleton, the Council also adopted Resolutions No. 12-43 and 12-44 finding the residence at 5983 Crestview Drive a Public Nuisance and requiring the owner to abate said public nuisance, authorized the recruitment of Planning Commissioner vacancy with a deadline of January 17 at 5:00, with appointments made at the February 12<sup>th</sup> Town Council meeting. Mr. Baker congratulated April Grossberger on being appointed to the Butte County Planning Commission by newly elected Supervisor Doug Teeter, which will leave an additional vacancy to fill on the Commission. Mr. Baker also stated that with Greg Bolin being elected to the Town Council, Vice Chair Jones advances to the Chair of the Planning Commission and revised minutes reflecting that change have been placed in front of the Commissioners.

### **3. PUBLIC COMMUNICATION**

1. Greg Bolin thanked the Planning Commissioners for the opportunity to work with them, congratulated April Grossberger on her appointment to the Butte County Planning Commission, thanked the current commissioners for their service and for the four-years of learning while he was on the Commission.

Mr. Baker stated that at the next Planning Commission meeting the Commissioners would be asked to approve resolutions recognizing the service of the past Commissioners.

### **4. CONTINUED PUBLIC HEARING – None.**

### **5. PUBLIC HEARING – None.**

### **6. OTHER BUSINESS**

- 6a. Discussion regarding possible future adoption of Planning Commission resolution documents updating/affirming the current Town of Paradise Sphere of Influence and affirming the adequacy of the current 1994 Paradise General Plan.

Mr. Baker stated that this item was put on the agenda as a reminder that the Planning Commission may need to, at some time, update/affirm the Town of Paradise Sphere of Influence (SOI) and affirm the adequacy of the 1994 General Plan and has asked Town Attorney, Dwight Moore to provide information on the items.

Town Attorney Moore discussed the Sphere of Influence, which rarely happens, because it deals with Annexations, and that one is currently proposed for Walmart, if it goes forward, which is already included in the Sphere of Influence. Mr. Moore stated that the SOI was adopted in 1985 and with the new law, is required to be reviewed by LAFCO every five years to determine if any modifications are needed and then that would be brought to the Planning Commission for review/approval before final approval of the Town Council. A map showing the current SOI was included in the packet and displayed, showing Magalia, up to DeSabra, as being included in the sphere.

Commissioners asked why LAFCO would make any changes.

Mr. Moore stated that if there were any new developments in the area since the SOI was created or if another area was developed by a city or government agency that would be a reason for LAFCO to review the SOI. There have only been two minor annexations in the past 19 years which were development driven. The need for the Planning Commission to review the SOI would be due to a recommendation from LAFCO.

Commissioners asked that if the Town was growing based on the map and Magalia and Paradise started to blend, would the SOI line be dropped to the South.

Mr. Moore stated that the SOI can always be amended, but if an area is not included in the SOI it cannot be annexed. Mr. Moore also stated that LAFCO reviews and approves the SOI.

Commissioners asked how LAFCO determines if and when the SOI should be amended.

Mr. Moore stated that LAFCO looks at several things, the present plan, uses within the general area, probability of growth from the Town into the area of the sphere, whether the Town has the availability to provide public services to those areas or if services are needed. The Town of Paradise has not had many over the years, but it is required by law if it is a city or county.

Commissioners asked what the Town of Paradise is fiscally responsible for regarding the Town limits and the SOI limits and if the SOI is used for pre-planning within the boundaries of the Town.

Mr. Moore stated that the Town of Paradise does not provide service outside the Town of Paradise boundaries except for firefighting, where there is usually an agreement to assist other agencies in the area. There is no cost to the Town, the SOI is a planning tool created by state law. The property is pre-zoned within the SOI to show what is proposed to do with property if it is annexed. Pre-zoning does not mean anything within the town limits because the property owner can still, use the county zoning. Pre-zoning is a tool in case someone wants to annex to the Town which would be submitted and approved by the Town Council and then submitted to LAFCO.

Commissioners asked why the SOI is not expanded south towards Butte College since there are several residence in the Butte Valley area that utilize the businesses in the Town and if there were any cautions to be aware of from extending/expanding the SOI.

Mr. Moore stated that the SOI is a planning issue, there are several items to weigh for future annexations such as growth factors, where individuals shop, use of Town facilities, who is more attached to the Town of Paradise and the need for public service. Mr. Moore also stated the LAFCO reviews the annexations to prevent any leapfrog annexations, which are not allowed, because anything that is annexed to the Town has to be served by the Town of Paradise. A service review study was done in 2007, that was required by state law, showed our capacity to serve.

Mr. Moore explained that it is mandatory to periodically review The General Plan and determine if it is adequate. Previous Community Development Director Al McGreehan reviewed the General Plan and determined that it could be extended for another 4-5 years. The Planning Commission, by law, needs to review the elements and requirement for the General Plan today with the General Plan that was adopted in 1994 to determine if it is adequate or needs changes. There is only one item in the General Plan that has a time limit and that is the Housing Element that needs to be reviewed every 5-years. The rest of the elements, circulation, land use and conservation are technical elements that have requirements under the law that need to be reviewed by staff and approved by the Planning Commission sometime in the near future. Mr. Moore suggested a special workshop for the Planning Commission to review the General Plan since it is more comprehensive document.

Commissioner Jones stated that the General Plan was almost 20 years old and at the time that it was developed there was a large citizen participation effort to put it together and questioned at what point is a new General Plan done, or an update instead of a review, are there grant programs available and is cost a consideration.

Mr. Baker stated that at the time the General Plan was developed the Town hired an advanced planning specialist to help and does not anticipate a broad citizen participation . Even though the document is 18 years old, there are many aspects of the Town that haven't changed significantly

and there are many elements that still apply to the community which is one of the things that will be a part of the review and the financial aspect is a consideration. Mr. Baker stated that the larger the scope of the project, the longer it will take to prepare and bring to the Commission for review.

Mr. Moore stated that what the Commission is being asked to do is not to change the General Plan, but to review the General Plan as it exists, and determine if it meet the requirements of the law. Mr. Moore stated that there is a checklist provided that needs to be reviewed just to determine if the General Plan meets the requirements of the statutes under each element of the General Plan.

Mr. Baker stated that one of the products that needs to be generated for the California Office of Planning and Research annually is the General Plan Implementation Status report, which has to be approved by the Planning Commission, forwarded to the Town Council for approval prior to sending to the Office of Planning and Research. This document will itemize every policy in the General Plan and whether the policy or implementation measure has been fully or partially implemented and why. This exercise will allow the Commissions to become familiar with the General Plan.

6b. Discussion, updates and presentation regarding active development projects within the Town of Paradise

Mr. Baker provided an update on the active projects in the Town of Paradise that are either currently under staff review or construction:

- **Rocking Rooster Café**

This project entails the remodel and conversion of an existing vacant commercial space located at 5542 Clark Road (at Buschmann Road) into a new restaurant.

- **Paradise Community Village**

Conditionally approved by the Town in 2009, the Paradise Community Village (PCV) project entails the development of 49 acres of land located west of Lower Clark Road at the west end of Village Parkway. Construction of Phase I of the multi-family housing element (36 dwelling units) is well underway. Construction of the project's wastewater treatment and disposal system is nearing completion.

- **O'Reilly Auto Parts**

This project is proposed for a vacant 0.92 acre parcel located at 7368 Skyway (near Maxwell Drive) and consists of the establishment of an 8,100 square foot auto parts store. Construction is expected to be complete during calendar year 2013.

- **Wendy's Restaurant**

This project, located along Clark Road is proped to establish a 3,000 square foot restaurant with a drive through facility on a vacant one acre lot. The project has received all necessary approvals from the Town, except actual review and issuance of construction plans and permits. The developer has recently indicated to the Town that construction plans for the restaurant are being finalized and will be submitted shortly.

- **Feather River Hospital**

The Feather River Hospital has proposed the construction of a 13,000 square foot Gastro-Intestinal Outpatient Clinic. Building construction plans have been approved and are ready to issue, pending payment of school fees. Completion of the proposed clinic is expected during calendar year 2013.

- **Dollar General Stores (2)**

A Nationwide chain of discount retail stores have proposed a 9,200 square foot discount store located at 6633 Skyway. Building construction, site improvement, frontage improvement and landscape plans have been submitted and are currently being reviewed and the landscape plan will be approved tomorrow. A site for a second store is currently being evaluated, located along Clark Road adjacent to Kmart shopping center.

- **PID Corporation Yard**

This project is a new corporation yard for the Paradise Irrigation District located at 6344 Clark Road. The project includes the construction of 4,400 square feet of staff offices and other facilities, 7,102 square feet of shop/warehouse area and a new second paved parking facility for employees and patrons. Project completion is expected in 2013.

- **Other Commercial Projects**

Smaller projects

- New automotive service with a retail component at 6420 Clark Road (formerly Jiffy Lube) –an interior remodel is progressing.
- New potential retail establishment (Hot Rod Smoke and Tattoo Supplies) in an existing commercial space located at 6226 Skyway (at Fir St. and Skyway). The jewelry store will remain in the building. Design review approval for a new façade has been granted.
- The Planning Director just conditionally approved a new auto sales land use in conjunction with an existing automotive service on property located at 8710 Skyway (at Rocky Lane).

Walmart is currently on hold, they are still meeting, talking and it is currently valid, but there is not a lot of movement.

## **7. COMMITTEE ACTIVITIES -**

Mr. Baker stated that at the February meeting, with a full commission, he will be asking the Commission to elect a new vice-chair and appointments to various committees and resolutions of appreciation for previous members.

## **8. COMMISSION MEMBERS**

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

1. Commissioner Zuccolillo would like to discuss the Town Tree Ordinance once the new Commissioners have been seated for at least one month, at the March meeting.
2. Commissioner Zuccolillo would also like to discuss mobile home parks within the Town, which are currently administered by the State, but there is a possibility for local control. He would like to discuss to see if a revenue stream could be generated by the Town taking over control. Commissioner Clarkson, publicly announced that he would have to recues himself from any discussion regarding Mobile Home Parks.
3. Commissioner Grossberger announced that she was submitting a letter of resignation due to her appointment to the Butte County Planning Commission and thanked the Commissioners for the opportunity to serve with them for the past six years.

Mr. Baker stated that he would provide the Commissioners with the current Tree Ordinance.

**9. ADJOURNMENT**

The Planning Commission meeting was adjourned at 6:52 p.m.

Date Approved: February 19, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
Jody Jones, Chair

Attest:

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