



Town of Paradise Planning Commission Minutes 6:00 PM – March 21, 2023

Town of Paradise Council Chamber – 5555 Skyway, Paradise, CA

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

PLANNING COMMISSIONERS PRESENT: Carissa Garrard (Via Teams), Charles Holman, Kim Morris, Zeb Reynolds (Via Teams) and Lynn Costa, Chair

PLANNING COMMISSIONERS ABSENT: None

1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Costa**, approved regular meeting minutes of February 21, 2023. Roll call vote was unanimous.

2. COMMUNICATION

- 2a. Community Development Director Susan Hartman shared that Town Council approved a 6-month contract with the current Public Works/Engineering Director, Marc Mattox, to serve as interim Town Manager. Council approved eight firms to support the Community Development Department over a 4-year period with a Not-to-Exceed of \$3 million; approved changing burn hours from 8am to 6am; reviewed the 2023 Federal Advocacy Platform; extended the RV Urgency Ordinance until April 30, 2024; and shared that a small contingent of staff, as well as the Town Manager and Vice Mayor Tryon will travel to D.C. to advocate on behalf of fire victims and the Town.

3. PUBLIC COMMUNICATION - None

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. Associate Planner Nick Bateman presented the Singh Conditional Use Permit Application.

Chair Costa opened the public hearing at 6:12 p.m.

1. Applicant Singh shared his gratitude for staff as they helped him and his family through the process.

2. Aubrey Pruis, from the Paradise Association of Realtors, spoke in favor of this item.

Chair Costa closed the public hearing at 6:14 p.m.

PLANNING COMMISSION MINUTES

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MOTION by Morris, seconded by Holman, approved the Singh conditional use permit application (PL22-00084) request for the reconstruction and expansion of a service station and food sales land use including a 3,650 sq ft building, a walk-up window, and associated site improvements located at 5531 Pentz Rd, and further identified as Assessor's Parcel Number 054-240-011. Community Development Director Susan Hartman reiterated that the project is subject to a 7-day appeal period and no permits would be issued until that time. Roll call vote was unanimous subject to the following conditions:

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. 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. 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 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.
4. Pay all applicable development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.
5. All work within the public right of way is subject to Town issuance of an encroachment permit. Applicant shall secure an encroachment permit from the Town of Paradise Public Works Department, Engineering Division. All work in the public right-of-way requires a licensed, bonded, and insured contractor.
6. Secure Design Review approval of architectural design for the proposed project and for the establishment of any new sign structures and maintain the property in a manner consistent with the Town of Paradise Design Standards. The proposed buildings shall be designed and constructed of non-glare material.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S) FOR THE CONVENIENCE STORE/FOOD SERVICE STRUCTURE

CONSTRUCTION CODES

7. Meet the requirements of the Town Building Official regarding the submittal of construction plans, building permit applications, and all applicable town adopted construction code requirements.

8. Apply and pay the required fees for a food plan check with the Butte County Public Health Department. Provide evidence of plan approval for the food preparation area from Butte County Public Health Department.

SITE DEVELOPMENT

9. Submit three (3) copies of an engineered site plan related to the project site's proposed new features (i.e. parking facility, walkways, encroachment, and stormwater detention system) to the Engineering Division for approval prior to building permit issuance (site plan must show all grading and other relevant details including, but not limited to: finished floor, finished grade, contours, slopes, limit of grading, curb, gutter and sidewalk improvements, ADA paths of travel, and curb ramp.) Approval of the engineered site plan by the Town Engineer is required PRIOR TO COMMENCEMENT of site work for the project.
10. Apply for and secure Town issuance of a grading permit satisfying all Engineering Division requirements. Pay applicable grading permit fees per current fee schedule.
11. Submit an erosion & sediment control plan worksheet 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.
12. Apply for and secure approval of a Stormwater Post Construction Plan for a Regulated Project through the Town Engineering Division.

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

SITE DEVELOPMENT

13. The use of the property for this proposed purpose shall be contingent upon successful inspection by the Town Development Services department, Building Division and obtaining a signed certificate of occupancy. The applicant shall schedule and pay for all necessary inspections and shall comply with all requirements and conditions imposed by the Building Division.
14. Construct and install all proposed and required facilities shown on the engineered and detailed site plan(s) approved by the Town Engineer.
15. The applicant shall submit a comprehensive construction and demolition recycling plan, which meets all local, state, and federal regulations, for review and approval by the Town Development Services Department, Building Division.
16. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.

17. Meet the requirements of the Paradise Irrigation District (PID) regarding the water meter upgrade, backflow prevention assembly, and required septic setbacks, in accordance with the written comments from PID staff dated 9/7/2022 and on file with the Town Development Services Department.
18. Submit landscaping plans and current application fee to the Development Services Department, Planning Division in accordance with Paradise Municipal Code requirements consisting of a minimum of 10% of the developed area 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). Landscape Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance (MWELo). No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).
19. Building facades shall be in conformance with the approved Architectural Design Review elevations.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S) FOR THE FUEL PUMPS

20. Secure an Authority to Construct Permit through the Butte County Air Quality Management District and meet all the requirements related to the permit.
21. Submit and secure issuance of a construction permit application to the Butte County Public Health Department, Environmental Health Division, for the installation of the required monitoring console for the facility.

CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND OPERATION OF FUEL PUMPS

22. Meet all requirements of the Butte County Environmental Health Department related to testing and inspection of the proposed facilities. These include a UST Monitoring Certification, Line Leak Detector Testing, Spill Bucket Testing, Overfill Prevention Inspection, and Secondary Containment Testing. Secure any permitting and required repairs resulting from the required inspections.
23. Submit and secure issuance of a Permit to Operate through the California Environmental Permitting System (CERS). Meet all requirements of the Permit to Operate.
24. Secure a permit to operate for gasoline stations through the Butte County Air Quality Management District and meet all the requirements related to the permit.

- 5b. Community Development Director Susan Hartman provided an overview of the proposed text amendments to Title 17 of the Paradise Municipal Code relative to short-term rentals within the Town of Paradise.

Chair Costa opened the public hearing at 6:37 p.m.

- 1. Aubrey Pruis spoke in favor of this item but suggested striking the permit cap limit from the text amendment and resolution.

Chair Costa closed the public hearing at 6:47 p.m.

MOTION by Morris, seconded by Holman, Adopted Resolution No. 2023-01, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to Short-Term Rentals within the Town of Paradise" with an amendment to strike section 17.300.400 from the text and to provide direction to staff to request Council revisit requiring a permit cap at incremental periods of either every two or five years.

6. OTHER BUSINESS

- 6a. Commissioner Charles Holman volunteered to serve on the Town of Paradise Design Review Committee during the remainder of the FY 2022-2023. All Commission concurred and appointed Commissioner Holman.

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

- 8a. Community Development Director Susan Hartman shared that CDD has received a use permit for the Family Fun Center and that staff is anticipating submission from PID to rezone their new property to their old zoning designation at their previous location so they can install an electronic sign.

9. ADJOURNMENT

Chair Costa adjourned the meeting at 7:00 p.m.

Date Approved: May 16, 2023

By:

Attest:

_____/s/_____
Lynn Costa, Chair

_____/s/_____
Melanie Elvis, Deputy Town Clerk