



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

September 15, 2020

6:00 PM

CALL TO ORDER by Chair Morris at 6:01 p.m. who let the pledge of Allegiance to the Flag of the United States of America.

Chair Morris read the following statement:

Welcome to the September 15, 2020 Planning Commission meeting.

The Commissioners welcome public comment and participation. In accordance with Governor Newsom's Executive Order N-29-20, remote public participation is allowed in the following ways:

The Planning Commission meeting is available to be viewed on live-stream at <https://livestream.com/townofparadise>. Written public comment was accepted by email until 5:30 p.m. today. Written comments are subject to the regular time limitations of five minutes per speaker.

To comment during the meeting, please call (530) 872-5951 at the time indicated by the Chair. Comments will not be accepted after the public comment section of the item has closed.

If you are watching on Livestream or any other video, comments or chats are not monitored or responded to, the only way to participate is to call 530-872-5951. Again, please call 530-872-5951 for public comments. We appreciate your patience as we go through this process.

Chair Morris requested a moment of silence in honor of deceased Planning Commissioner Anita Towslee.

PLANNING COMMISSIONERS PRESENT: Lynn Costa, Ron Lassonde, Zeb Reynolds and Kim Morris, Chair

PLANNING COMMISSIONERS ABSENT: Anita Towslee (Deceased) Town Clerk Volenski announced that since Commissioner Towslee had passed away and would no longer be able to participate, she would not be reading/announcing her name for the remainder of the meeting.

1. APPROVAL OF MINUTES

- 1a. **MOTION by Lassonde, seconded by Costa**, approved of August 18, 2020 regular meeting minutes. Roll call vote was unanimous.

2. COMMUNICATION

- 2a. Recent Council Actions

Community Development Director Susan Hartman informed the Planning Commissioners that the Town Council approved the fuel reduction ordinance where an acknowledgment form is required when title is transferred informing the new property owner that the property must meet certain requirements. Town Council also accepted the General Plan Implementation Status and Housing Element forwarded by the Planning Commission.

b. Staff Comments - None

3. PUBLIC COMMUNICATION – None

Planning Commissioners concurred to move agenda items 5a and 5b to be heard prior to the continued public hearing due to members of the public in attendance.

5. PUBLIC HEARING

- 5a. MARTIN CONDITIONAL USE PERMIT APPLICATION (PL20-00193):** Planning Commission consideration of a conditional use permit application proposing the establishment of a construction sales and services land use on a vacant 0.72 acre property zoned Community Commercial (CC), located at 800 Elliott Road, Paradise and further identified as Assessor Parcel No. 052-150-028.

Associate Planner Chris Smith presented the proposed conditional use permit application from JT Martin located at 800 Elliott Road. Staff recommends approving the project with several conditions to keep the project compatible with the neighborhood setting.

Chair Morris opened the public hearing at 6:14 p.m.

1. JT Martin, project applicant, stated that if there is no construction yard, there will be no building in town, asked the Commission to support the project.
2. Kent Massey is building on Queen Drive and does not support the application.
3. Eve See Dutra owns the property adjacent to JT Martin; stated he has items on their property and workers parking on the property and does not support the project.

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

Planning Commissioners discussed the project, concerns with the existing appearance of the project, ingress and egress of the equipment and timeline for the construction yard.

MOTION by Costa, seconded by Lassonde, adopted the required findings for approval as provided by staff and approved the Martin conditional use permit application (PL20-00193) to allow the establishment of a construction sales and service land use to include a contractor's office, vehicle and equipment storage and storage of bulk materials subject to the following conditions. Ayes of Costa, Lassonde and Morris, Chair; Noes of Reynolds.

Community Development Director Hartman announced that an appeal of the Planning Commission's decision can be made within seven (7) days of the decision date.

GENERAL CONDITIONS OF PROJECT 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 Design Review approval for the proposed building façades and any business signage.

3. All existing structures and signs on-site, relating to the construction sales and service land use, must meeting minimum property line setbacks.
4. Use of a temporary commercial office building is subject to the issuance of a Temporary Use Permit for a time period ending no later than December 31, 2022.
5. No inoperative or dismantled vehicles shall be stored where visible from off the site.
6. All work within the Elliott Road or Queen Drive public right of way is subject to Town issuance of an encroachment permit, which will require that the contractor be properly licensed and bonded with the Town of Paradise.
7. 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).
8. 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.
9. 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.
10. Maintain the property in a manner consistent with the Town of Paradise Design Standards.
11. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.

CONDITIONS TO BE MET WITHIN 60 DAYS OF USE PERMIT ISSUANCE

ROADS AND ACCESS

12. Secure the issuance of an encroachment permit from the Town Public Works Department for the unpermitted gravel driveway encroachment along the Elliott Road frontage of the project site, leading to the manufactured home, in a manner deemed satisfactory to the Town Engineer.
13. Deed forty feet from the center of the Elliott 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.

UTILITIES

14. Meet the requirements of the Paradise Irrigation District (PID) in accordance with written communication from PID staff regarding the Martin use permit application, dated July 2, 2020 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

15. 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.
16. A submitted Surveyor's Certification is required prior to the issuance of any building, septic, or engineering permit.
17. 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).
18. Establish and maintain on-site parking facilities containing a minimum of 4 parking spaces, 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.
19. Meet the requirements of the Fire Prevention Inspector in accordance with written comments dated July 1, 2020 (attached).
20. 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.
21. Equipment and storage areas shall be shielded from off-site view with six-foot-tall sight obscuring fencing along the south and west property lines, at a minimum, in a manner satisfactory to the Town Planning Director and consistent with town zoning regulations.
22. 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.
23. Vehicles and construction equipment shall be stored within fenced area at all times. No storage or parking associated with the construction sales and service land use shall be allowed on Elliott Road or Queen Drive.

CONDITIONS TO BE MET WITHIN 180 DAYS OF USE PERMIT ISSUANCE

SITE DEVELOPMENT

24. Submit landscaping plans and current application fee to the Development Services Department (Planning Division) in accordance with Paradise Municipal Code requirements and install approved landscape materials in a manner deemed satisfactory to the town Planning Director. The required landscape plan shall include provisions for the planting of trees in areas adjacent to residential land uses and in areas plainly visible from Queen Drive.

CONDITIONS OF LAND USE OPERATION

25. Hours of operation for the proposed construction sales and service land use shall be limited from 7:00 a.m. to 6:00 p.m., Monday through Saturday.
26. 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.
27. Bulk material storage associated with the construction services shall be contained within storage buildings.

Failure to uphold and maintain compliance with the conditions of this permit may result in the permit being administratively revoked by the Town of Paradise (PMC Section 17.32.600).

- 5b. **KINNEY SITE PLAN REVIEW PERMIT APPLICATION (PL20-00227):** Planning Commission consideration of a Site Plan Review permit application proposing the rebuild of a single family residence, with an expanded overall size of 1,836 square feet, on a vacant 0.5 acre property zoned Neighborhood Commercial (NC), located at 6911 Clark Road, Paradise and further identified as Assessor Parcel No. 050-081-020.

Community Development Director Hartman presented a brief overview of the Kinney site plan review application.

Chair Morris opened the public hearing at 6:56 p.m.

Chair Morris closed the public hearing at 6:56 p.m.

MOTION by Morris, seconded by Lassonde, adopted the required findings for approval as provided by staff, and approved the site plan review permit application (PL20-00227) to authorize the construction and installation of a single-family dwelling on a ±0.5-acre property zoned Neighborhood-Commercial, subject to the following conditions of approval. Roll call vote was unanimous.

Community Development Director Hartman announced that an appeal of the Planning Commission's decision can be made within seven (7) days of the decision date.

GENERAL CONDITIONS OF SITE PLAN REVIEW PERMIT

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the permit's effective date, the site plan review permit may become subject to revocation by the Town of Paradise.

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

SITE DEVELOPMENT

2. 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.

FIRE

3. Remove log piles to the satisfaction of the Fire Prevention Inspector per the written comments received August 4, 2020 and on file with the Development Services Department.

OTHERS

4. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.

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

SITE DEVELOPMENT

5. Complete the project as per the approved building plans including inspection of the new building sewer line to the existing septic system.
6. All flammable vegetation shall be removed at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.
7. Approved address shall be placed on the residence above the doorway, or in such a position as to be visible from the road accessing the property.

UTILITIES

8. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.
9. Meet the requirements of all other utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.

4. CONTINUED PUBLIC HEARING

- 4a. Consider Adoption of a Resolution Recommending Town Council Adoption of Text Amendments to Title 17 (Zoning) of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs within the Town of Paradise not Associated with a Health Facility.

Community Development Director Susan Hartman provided the Planning Commissioner with an update on the continued public hearing. Ms. Hartman addressed the concerns the Commissioners previously had by including additional information and the suggested changes to the proposed Resolution and Ordinance.

Chair Morris opened the public hearing at 7:17 p.m.

Chair Morris closed the public hearing at 7:17 p.m.

After discussion, the Planning Commissioners agreed upon four changes to the proposed resolution and ordinance.

1. In the resolution 2nd WHEREAS, third line, change the word “imminent” to “potential”.
2. In the resolution 3rd WHEREAS, change the date from September 8, 2020 to September 15, 2020.

3. In the resolution, 4th WHEREAS, add to the end of the last sentence, “not associated with a health facility.
4. In the ordinance, H. after 1250.3 add the following: “or out-patient clinic if a 24-hour facility is not available”.

MOTION by Lassonde, seconded by Costa, adopted Resolution No. 20-02, A Resolution of the Paradise Planning Commission recommending Town Council adoption of Text Amendments to Title 17 (Zoning) of the Paradise Municipal Code Relative to Prohibiting the Establishment of Needle and Syringe Exchange Programs within the Town of Paradise. Roll call vote was unanimous.

6. OTHER BUSINESS

- 6e. Consider adopting Resolution No. 20-03, A Resolution of the Paradise Planning Commission of the Town of Paradise Determining that the Application for the Log Storage and Processing Yard Temporary Use Permit No. PL19-00383 for Anderson Brothers Corporation has been Withdrawn

Community Development Director Susan Hartman informed the Planning Commissioners that part of the settlement agreement regarding the withdrawal of the Log Storage and Processing Yard Temporary Use Permit is that the Town will issue a statement by the Planning Commission confirming the Anderson Temporary Use Permit application has been fully withdrawn and is in no legal effect.

MOTION by Reynolds, seconded by Morris, adopted Resolution No. 20-03, A Resolution of the Paradise Planning Commission of the Town of Paradise determining that the Application for the Log Storage and Processing Yard Temporary Use Permit No. PL19-00383 for Anderson Brothers Corporation has been Withdrawn. Roll call vote was unanimous.

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

Community Development Director Susan Hartman informed the Planning Commissioners of upcoming projects:

1. Two Manufactured Home Sales projects: Clark/Maple Park and Skyway north of Bille.
2. Multi-family project at the Lutheran Church on Skyway

9. ADJOURNMENT

Chair Morris adjourned the meeting at 7:30 p.m.

Date Approved: October 20, 2020

By: _____/s/_____
Kim Morris, Chair

Attest:

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