



Town of Paradise Planning Commission Meeting Agenda 6:00 PM – July 15, 2025

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

Planning Commission Staff:

Susan Hartman, Community Development Director
Melanie Elvis, Town Clerk

Planning Commission Members:

Charles Holman Chair
Kate Anderson, Commissioner
Carissa Garrard, Commissioner
Zeb Reynolds, Commissioner
Shawn Shingler, Commissioner

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

- [1a.](#) Approve the Regular Meeting Minutes of June 17, 2025 Paradise Planning Commission meeting. (ROLL CALL VOTE)

2. SWEARING IN OF NEWLY APPOINTED PLANNING COMMISSIONER

3. ROLL CALL

4. APPOINTMENT OF PLANNING COMMISSION CHAIRMAN AND VICE CHAIRMAN FOR THE 2025/26 FISCAL YEAR

- 4a. Appointment of Chairman (Secretary presiding)
4b. Appointment of Vice-Chairman (Appointed Chairman presiding)

5. COMMUNICATION

- 5a. Recent Council Actions
5b. Staff Comments

6. PUBLIC COMMUNICATION

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

* * * PUBLIC HEARING PROCEDURE * * * *

- | | |
|------------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public. | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for a maximum of five minutes unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Development Services Dept., at 872-6291 at least 48 hours in advance of the meeting."

7. CONTINUED PUBLIC HEARINGS – None

8. PUBLIC HEARINGS

- 8a. Item to be determined to be exempt from environmental review under CEQA Guidelines section 15061(b)(3) (General rule exemption)

PARADISE MUNICIPAL CODE: Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendment would add additional circumstances under which a temporary construction laydown yard could be established. (ROLL CALL VOTE) (Susan Hartman/Community Development Director)

9. OTHER BUSINESS:

- 9a. Appointment of one Planning Commission Representative to serve on the Town of Paradise Design Review Committee during the FY 2025-2026.
- 9b. Appointment of two Planning Commission Representatives to serve on the Town of Paradise Landscape Committee (appeals body) during the FY 2025-2026 (Requirement of PMC Chapter 15.36).

10. COMMITTEE ACTIVITIES

11. COMMISSION MEMBERS

- 11a. Identification of future agenda items (All Commissioners/Staff)

12. ADJOURNMENT

STATE OF CALIFORNIA) COUNTY OF BUTTE)	SS.
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date: _____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE _____	



Town of Paradise Planning Commission Meeting Minutes 6:00 PM – June 17, 2025

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

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

PLANNING COMMISSIONERS PRESENT: Kim Morris, Zeb Reynolds and Chair Charles Holman

PLANNING COMMISSIONERS ABSTENT: Carissa Garrard

1. APPROVAL OF MINUTES

- 1a. **MOTION by Morris, seconded by Holman**, approved the Regular Meeting Minutes of May 20, 2025, Planning Commission meeting. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

2. SWEARING IN OF NEWLY APPOINTED PLANNING COMMISSIONER

- 2a. Town Clerk Melanie Elvis swore in the newly appointed Commissioner, Shawn Shingler, and took a new roll call vote with the seated members. The following is a list of Commissioners who were present:

PRESENT: Kim Morris, Shawn Shingler, Zeb Reynolds, and Chair Charles Holman

ABSENT: Carissa Garrard

3. COMMUNICATION

- 3a. Community Development Director Susan Hartman provided an overview of recent Town Council actions including the introduction of a Broadcast Burning Ordinance, and the renewal of the CAL FIRE Cooperative Fire Protection Agreement through June 2029.

4. PUBLIC COMMUNICATION - None

5. CONTINUED PUBLIC HEARING - None

6. PUBLIC HEARING

- 6a. Senior Planner Amber DePaola presented the proposed conditional use permit application for ACE Hardware's existing electronic message sign and reminded Commission that if approved, it would be subject to a 7-day appeal period before permits could be issued.

Chair Holman opened the public hearing at 6:07 p.m.

There were no public comments.

Chair Holman closed the public hearing at 6:08 p.m.

MOTION by Reynolds, seconded by Morris, 1. Determined the item to be exempt from environmental review; and, 2. Approved ACE Hardware Conditional Use Permit Application (PL25-00054): Planning Commission consideration of a request for an existing electronic message sign to be used for business advertising and to include off-site community events, public service announcements and emergency alerts with the following conditions. Roll call vote was unanimous with Commissioner Garrard absent and not voting.

GENERAL CONDITIONS

1. Meet the requirements of Paradise Municipal Code 17.37.670 for Electronic Changeable Message Signs to include:
 - Messages shall be static and unanimated for a minimum of 8 seconds
 - Transition during messages shall be 2 seconds or less and shall either be instantaneous or fade in/out. Flashing is prohibited.
 - Signs shall be equipped with a photocell, timer or other similar device which automatically dims display during nighttime hours to prevent glare impacts.
 - Illumination limit not to exceed the International Sign Association's (ISA) recommendations for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance set forth by the ISA.
2. Meet the requirements of the Town Building Official regarding the submittal of any construction plans, building permit applications, and all applicable Town adopted construction code requirements.

Any proposed changes to the sign face or pole structure shall require modification of this conditional use permit.

- 6b. Community Development Director Susan Hartman presented the proposed text amendments to the zoning regulations in Paradise Municipal Code Title 17 regarding Animal Keeping in the AR 3 & 5 zones.

Chair Holman opened the public hearing at 6:30 p.m.

Jon Remalia expressed concerns about the proposed conditions that they would be changing what should be permitted by right.

Ms. Hartman clarified that the proposed ordinance presents a new opportunity and does not take away any animal keeping that has already been permitted by right.

Chair Holman closed the public hearing at 6:34 p.m.

MOTION by Morris, seconded by Shingler, adopted Planning Commission Resolution No. 2025-04, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to the Agricultural Residential Zoning District; General Definitions; and the Animal Regulations". Roll call vote was unanimous with Commissioner Garrard absent and not voting.

7. OTHER BUSINESS

- 7a. Chair Holman presented a Resolution of Appreciation recognizing Planning Commissioner Morris for her years of service.

MOTION by Holman, seconded by Reynolds, adopted Resolution No. 2025-05 "A Resolution of the Paradise Planning Commending Kim Morris for her Service to the Town of Paradise." Roll call vote was unanimous with Commissioner Garrard absent and not voting.

8. COMMITTEE ACTIVITIES - None

9. COMMISSION MEMBERS

- 9a. Community Development Director Susan Hartman reviewed future agenda items including two use permits for an RV Park on Skyway and Pentz and a Multi-Family Housing (MFH) Rezone project. Ms. Hartman updated Commission on three MFH projects that received tax credits and will start construction within the next few months.

10. ADJOURNMENT

Chair Holman adjourned the meeting at 6:44 p.m.

Date Approved:

By:

Attest:

Chair Holman

Melanie Elvis, Town Clerk



Town of Paradise
Planning Commission Agenda Summary **Agenda Item: 8(a)**
Date: July 15, 2025

ORIGINATED BY: Susan Hartman, Planning Director
REVIEWED BY: Scott Huber, Town Attorney
SUBJECT: Public Hearing to Consider Adoption of a Resolution Recommending Town Council Adoption of Text Amendments to Title 17 (Zoning) of the Paradise Municipal Code Relative to Temporary Storage Yards for Work in Public and Private Rights-of-Way

COMMISSION ACTION REQUESTED:

1. Conduct a duly noticed public hearing; AND
2. Adopt Planning Commission Resolution No. 2025-06, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text amendments to Title 17 of the Paradise Municipal Code Relative to Temporary Storage Yards for Work in Public and Private Rights-of-Way". OR
3. Provide alternative direction to staff.

Background:

Following the Camp Fire, it is widely understood that underground electrical lines and utilities offer an increased level of safety for residents and the Town. Pacific Gas and Electric and other utility providers have agreed to relocate their utility lines to underground facilities. Additionally, some of Paradise Irrigation District's (PID) water mains suffered post-fire damage that required repair and replacement.

Following requests from PG&E, in the spring 2023, the Council directed staff to bring an urgency ordinance forward for consideration to allow the utility companies to utilize "laydown yards" near where undergrounding activities are occurring so that equipment and supplies could be temporarily staged near the underground work. These utility laydown yards would be subject to either a temporary use permit (when on commercial property) or an administrative use permit (when on residential property). Laydown yards on residentially zoned property would require a 10-day mailing notification to offer neighboring landowners the opportunity to request a formal hearing before the Town approved the use and laydown yards on private roads would require the co-signature of all private landowners with deeded interest to the road, similar to the requirements of a home-based business on a private road. Ultimately adopted by the Council in June 2023, the urgency ordinance authorizing laydown yards for underground utility contractors is set to expire on December 31, 2025.

Analysis:

In discussions with Public Works staff, PG&E, and PID, it is anticipated that roadway work will continue to be active in town until at least the end of 2028. Consultation with the Town's legal

counsel has led staff to propose a readoption of the previous ordinance from that of an urgency ordinance to a regular zoning ordinance. While the Town's existing temporary use regulations allow storage yards, with a Temporary Use Permit, on active construction sites, the construction sites in question are rights-of-way (roadways) where it is not feasible to store vehicles and equipment. Therefore, the current urgency ordinance allows utility contractors to secure a neighboring, privately owned property to permit as their storage yard ("laydown yard").

While the initial purpose of the urgency ordinance was to expedite the completion of the emergency underground utility work following the Camp Fire, staff has recognized the on-going need for this type of temporary use permit to be available to contractors working in roadways in the future, including the Town's paving program, in which case the ordinance is better placed as a regular zoning ordinance in Title 17 of the Paradise Municipal Code (PMC) and not as an urgency ordinance.

Currently, the temporary use regulations in PMC Chapter 17.32 allow for a "*contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project*" with the issuance of a Temporary Use Permit. Staff would propose adding another allowance for those same uses but for when the construction site is located within public and private rights-of-way.

The urgency ordinance requirement for an Administrative Permit with 10-day noticing on residentially zoned properties came about from previous complaints received on laydown yards in residential areas. However, since implementing that requirement in 2023, staff have received no requests for hearings or complaints on residential laydown yards. Therefore, staff does not recommend moving forward with a time-consuming permitting process but rather use the one Temporary Use Permit for all laydown yards regardless of zoning. However, the requirement for all landowners to sign off on a laydown yard proposed on a private road easement would remain, as those landowners are financially responsible for the construction and maintenance of the private road. Temporary Use Permits, like Administrative Permits, have a process for revocation should the permitted activity not be conducted in a manner that complies with the PMC and/or the permit conditions. Therefore, there is no less enforceability by removing the requirement for an Administrative Permit.

Staff has developed the attached resolution document (and its attached Exhibit "A") that, if adopted by the Planning Commission, would recommend Town Council adoption of text amendments to the Town's Zoning Ordinance in order to accomplish the objectives outlined in the preceding discussion before the scheduled expiration of the laydown yard urgency ordinance at the end of 2025. The proposed new text within Exhibit "A" is shown as **shaded** and text proposed to be deleted is shown in ~~striketrough~~ text.

Planning staff, and the Town Attorney have determined that the nature of the proposed text amendments is sufficiently minor in that there is no possibility that adoption and implementation of the amendment would result in a direct and significantly adverse effect on the environment. Thus, the proposed amendment can be found to be exempt from the requirements of the California Environmental Quality Act [CEQA], pursuant to CEQA Guidelines section 15061 (b)(3) [General Rule Exemption].

Financial Impact:

If the ordinance amendments are ultimately adopted, future General Fund revenues would be increased due to the ability of contractors to secure temporary use permits on private property for construction jobs in public and private roadways that would not otherwise be allowed after 2025.

ATTACHMENTS:

1. Copy of the notice of public hearing for the proposed text amendments.
2. Copy of Notice of Exemption dated July 8, 2025.
3. Copy of Planning Commission Resolution No. 2025-06, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text amendments to Title 17 of the Paradise Municipal Code Relative to Temporary Storage Yards for Work in Public and Private Rights-of-Way".

**NOTICE OF PUBLIC HEARING
PARADISE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN by the Paradise Planning Commission that a public hearing will be held on Tuesday, July 15, 2025 at 6:00 p.m. in the Town Hall Conference Room, 5555 Skyway, Paradise, CA, regarding the following matter:

- a. Item determined to be exempt from environmental review under CEQA Guidelines section 15061(b)(3) (General rule exemption)

PARADISE MUNICIPAL CODE: Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendment would add additional circumstances under which a temporary construction laydown yard could be established.

The project file is available for public inspection at the Development Services Department, Building Resiliency Center, 6295 Skyway, Paradise. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Paradise Planning Commission at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291, extension 424.

SUSAN HARTMAN
Planning Director

NOTICE OF EXEMPTION

To: File

From: Town of Paradise, Development Services Department,
Planning Division, 6295 Skyway, Paradise, CA 95969

Project Title: PMC Title 17 [Zoning] Text Amendments

Project Applicant: Town of Paradise

Project Location: N/A

Project Description: Amendments to the Town Zoning Ordinance relative to temporary storage yards for work in public and private rights-of-way.

Approving Public Agency: Town of Paradise

**Person or Agency
Carrying Out Project:** Town of Paradise

Exempt Status:
☐ Ministerial (Section 15268)
☐ Emergency Project (Section 15269)
☐ Categorical Exemption (Section 15302)
☒ General Rule Exemption (Section 15061)

Reason for Exemption: The amendments do not constitute a project under CEQA, no physical activity is planned and there is no possibility of a significant environmental effect.

Contact Person: Susan Hartman, Planning Director
(530) 872-6291 x424

Signature: 

Date: 07/08/2025

**TOWN OF PARADISE PLANNING COMMISSION
RESOLUTION 2025-06**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING TOWN COUNCIL
ADOPTION OF TEXT AMENDMENTS TO TITLE 17 OF THE PARADISE MUNICIPAL CODE RELATIVE
TO TEMPORARY STORAGE YARDS FOR WORK IN PUBLIC AND PRIVATE RIGHTS-OF-WAY**

WHEREAS, the Town of Paradise is legally required to direct and regulate land development and land uses via zoning regulations and other means that are consistent with its current Paradise General Plan as well as current state planning and zoning law; and

WHEREAS, the Paradise Planning Commission finds that there is a compelling need for the Town Council of the Town of Paradise to adopt the foregoing Paradise Municipal Code (PMC) amendments to assist with post-fire infrastructure repair efforts relating to the undergrounding of utilities and paving work happening in public and private rights-of-way and to minimize any related effects to the health, property, safety and welfare of Town citizens, and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on July 15, 2025 to study and consider recommending Town Council adoption of text amendments to PMC Title 17 (Zoning Ordinance) as proposed by Town staff; and

WHEREAS, the public review also included review and determination that the proposed PMC text amendment is an activity that is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (general rule exemption) because there is no possibility that the amendment would result in a significantly adverse effect upon the environment; and

WHEREAS, the Planning Commission has considered the recommendation of the Town staff, etc., as well as input received during the public hearing; and on the basis of the foregoing, has determined that the text amendments to PMC Title 17 (Zoning Ordinance) is warranted at this time in order to allow the expanded use of construction laydown yards within the Town of Paradise.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the Town of Paradise as follows:

The Planning Commission hereby recommends to the Town Council of the Town of Paradise, adoption of the proposed text amendments to PMC Title 17 (Zoning Ordinance) as set forth in **Exhibit "A"** attached hereto and made a part of by reference; and recommends to the Town Council that the proposed Paradise Municipal Code text amendments is not subject to the requirements of the California Environmental Quality Act (CEQA) in accordance with the general rule categorical exemption provisions of CEQA Guidelines Section 15061.

**TOWN OF PARADISE
PLANNING COMMISSION
RESOLUTION NO. 2025-06**

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 15th day of July 2025 by the following Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

, Chair

ATTEST:

Melanie Elvis, Town Clerk

EXHIBIT "A"

SECTION 1. Amend the allowed temporary use land uses listed in Section 17.32.100.B [Temporary use regulations] to read:

The following temporary land uses shall be allowed subject to the regulations set forth within this chapter. Note: All temporary land uses that include food sales require a permit from the Butte County department of public health.

- A. Model homes or apartment and related real estate sales activities, located within a subdivision or residential development: temporary use permit required;
- B. Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project or on private property to service an active construction project in public or private rights-of-way: temporary use permit required;
 - 1. The director may establish such additional conditions as necessary to ensure land use compatibility and to minimize potential negative impacts, which may include but is not limited to the following:
 - a. Hours and frequency of operation;
 - b. Temporary arrangements for parking and circulation;
 - c. Requirements for screening or enclosure;
 - d. Guarantees for site restoration and cleanup following temporary storage use;
 - e. Posting of a sign at the entrance of the temporary storage yard with site supervisor contact information;
 - f. Restrict access to septic tank and leach field areas on the temporary storage yard property;
 - g. Requirements for dust control and maintenance of temporary storage yard property; and
 - h. Use of a private road easement to access a temporary storage yard on private property serving a construction project in public or private rights-of-way shall not be permitted unless written consent to such use is provided by all property owners having legal interest in the private road easement.