



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

Planning Commission Staff:

Susan Hartman, Community Development Director

Planning Commission Members:

Kim Morris, Chair

Lynn Costa, Vice Chair

Carissa Garrard, Commissioner

Ron Lassonde, Commissioner

Zeb Reynolds, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – March 16, 2021

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Hartman, at 872-6291 ext. 114 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

- 1a. Approval of February 16, 2021 regular meeting minutes.

2. COMMUNICATION

- 2a. Recent Council Actions
2b. Staff Comments

3. PUBLIC COMMUNICATION

The meeting will be open to the public on a limited basis. This means there will be reduced seating capacity, social distancing will be practiced and face masks are required. (please note, our limited capacity is 20 people and when that is reached, the doors will be closed) Attendees may need to rotate seating positions to allow participation from those in attendance. Public speakers will be asked to complete speaker cards and may need to wait outside until they are called to speak.

Observers choosing not to attend in person may view the meeting livestreamed via the town's website at <https://www.youtube.com/channel/UCpo2Gy0EGJwcFvDU2xnjgbw>

Comments may be submitted via e-mail to dvolenski@townofparadise.com prior to 5:00 p.m. the day of the meeting. Comments will not be accepted via livestream.

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 Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. PARADISE MUNICIPAL CODE – Planning Commission consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the sign regulations in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would alter business sign regulations within PMC section 17.37.300 (prohibited signs) and 17.37.700 (business signs) that refer to the no longer existent Paradise Redevelopment Area. (ROLL CALL VOTE)

6. OTHER BUSINESS

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

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

9. 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:	
<hr/>	
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TOWN/ASSISTANT TOWN CLERK SIGNATURE	



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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

**February 16, 2021
6:00 PM**

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

PLANNING COMMISSIONERS PRESENT: Lynn Costa, Carissa Garrard, Ron Lassonde (via Teams), Kim Morris, Chair

PLANNING COMMISSIONERS ABSENT: Zeb Reynolds

1. APPROVAL OF MINUTES

- 1a. **MOTION by Costa, seconded by Garrard**, approved Regular Meeting Minutes of December 15, 2020. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

2. COMMUNICATION

2a. Recent Council Actions- Community Development Director Susan Hartman provided an update to the Commissioners that Town Council approved staff to negotiate a contract with Urban Planning Partners for the Housing Element update. Council also discussed street vending in the downtown, abandoned business signs and introduced an ordinance to change burn permits from a calendar year to a fiscal year.

2b. Staff Comments -None

3. PUBLIC COMMUNICATION -None

4. CONTINUED PUBLIC HEARING - None

5. PUBLIC HEARING

- 5a. **Ponderosa Gardens Use Permit Modification (PL21-00012)** Planning Commission consideration of a use permit modification to allow a banquet hall use in Ponderosa Gardens Motel. This would reduce the number of lodging units in place of an assembly area and kitchen facilities. The ±2.99-acre parcel is zoned Community Commercial (CC) and located at 7010 Skyway and further identified as Assessor Parcel Nos. 052-080-107.

Associate Planner Chris Smith provided an overview of the project.

Chair Morris opened the public hearing at 6:13 p.m.

1. Matt Davis, contractor for the project applicant, answered the Commissioners' questions regarding the size of the septic. Mr. Davis stated that because the designated occupancy size changed, the septic was being redesigned to fit the new requirements.

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

MOTION by Lassonde, seconded by Costa, adopted the required findings for approval as provided by staff, and approved the modification of the Use Permit (PL21-00012) to authorize the construction of a $\pm 2,915$ square foot motel and banquet room on a ± 2.99 -acre parcel zoned Community Commercial (CC) and located at 7010 Skyway and further identified as Assessor Parcel Nos. 052-080-107, subject to the below conditions of approval. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

Community Development Director Susan Hartman clarified that there is a seven-day appeal period and that no permits could be issued until that period was closed.

GENERAL CONDITIONS OF CONDITIONAL USE PERMIT

1. A fire permit is required for certain specific operations regulated by the California Fire Code. The permit is issued after application has been made to the Town of Paradise Fire Department and full compliance of the requirements for the operation has been adhered to. An annual fee is charged to the applicant for review and inspection of such permits. Some permits require additional inspections and permit compliance that may require additional fees to be paid semi-annually.

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.
3. Complete any requirements of the Town Onsite Sanitary Official concerning the issuance of a permit for the upgrade of the wastewater treatment and disposal system to serve the proposed project.

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 Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications.
6. Meet the requirements of Town onsite sanitation staff regarding inspection and approval for the construction of the onsite sewage disposal system.
7. Prior to Fire Department Clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-R Standard for Automatic Fire Sprinkler Systems-Multi-Family Dwellings. Three (3) sets of plans, hydraulic calculations, and material used in the system shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
8. Prior to final inspection or occupancy, hand portable fire extinguishers are required to be installed as directed by Town of Paradise Fire Department staff. The size, location, and markings shall be illustrated on the floor plan of the construction documents. Prior to installation the client is directed to request a fire inspection to confirm the locations of the fire extinguishers due to field changes of business systems
9. Knox emergency access key box is required at each building, with specific mounting locations approved by the Town of Paradise Fire Department. Recessed mount key boxes are required. Premise keys for all buildings and areas shall be marked and placed in the box prior to final inspection to ensure emergency access. The building owner/occupants shall provide replacement keys whenever locks are changed.

UTILITIES

10. Provide evidence that the Paradise Irrigation District water advisory has been lifted for the property.
 11. Meet the requirements of all utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.
- 5b. **Simmons General Plan Amendment/Rezone and Conditional Use Permit Application (PL21-00011):** Planning Commission consideration of a resolution recommending Town Council approval of a Town-initiated amendment to the Town of Paradise General Plan land use map affecting a ± 0.13 -acre property from an “unassigned” designation to the Town Commercial (TC) land use designation and assign compatible zoning for the subject property of Community Commercial (CC).

No new development is proposed, only the post-fire rebuild of previously existing facilities. In addition, consideration of a Conditional Use Permit to allow a two-year timeframe, from the date the zoning assignment is adopted by Town Council, to rebuild the previously existing non-conforming residential land use. The project site is located at 9323 Skyway, Paradise; and identified as Assessor Parcel No. 066-430-004.

Community Development Director Susan Hartman provided an overview stating that this parcel was an unclaimed piece of land that the Town previously believed to belong to the County. The property, therefore, had no zoning assignment and needed to be assigned.

Chair Morris opened the public hearing at 6:21 p.m.

There were no public comments.

Chair Morris closed the public hearing at 6:21 p.m.

MOTION by Garrard, seconded by Costa, adopted Planning Commission Resolution No. 21-01, “A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of a Paradise General Plan Land Use Map Amendment and Rezoning of Certain Real Property Within the Town of Paradise (SIMMONS:PL21-00011). Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

Community Development Director Susan Hartman clarified that there is a seven-day appeal period and that no permits could be issued until that period was closed.

6. OTHER BUSINESS

- 6a. Community Development Director Susan Hartman provided an overview of the Annual Report and highlighted some of the improvements from 2020 such as the Town Council approving the of specifications for the Almond St. and Gap Closure projects, Public Works securing a \$1.8 million grant to update the Master Transportation Plan, and the purchase of new property for a more centralized location for Fire Station 82.

MOTION by Costa, seconded by Garrard, Accepted and referred the Planning Commission Annual Report for calendar year 2020 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

- 6b. Community Development Director Susan Hartman provided an overview General Plan Housing Element stating that it was required to be updated every several years.

MOTION by Lassonde, seconded by Garrard, Accepted and referred the Planning Commission Annual Report for calendar year 2020 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan Housing Element. Roll call vote was unanimous with Commissioner Reynolds absent and not voting.

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

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

Community Development Director Hartman informed the Commissioners of an upcoming project on an expired subdivision.

9. ADJOURNMENT

Chair Morris adjourned the meeting at 6:41 p.m.

Date Approved:

Attest:

By: _____
Kim Morris, Chair

Dina Volenski, CMC, Town Clerk

M E M O R A N D U M

AGENDA NO. 5(a)

TO: Paradise Planning Commission

FROM: Susan Hartman, Community Development/Planning Director

SUBJECT: Public Hearing – Consider a Resolution Recommending Town Council Adoption of Paradise Municipal Code Zoning Regulations Text Amendments Relative to Sign Regulations Applicable to the No Longer Existent Paradise Redevelopment Agency and Area

DATE: March 2, 2021

BACKGROUND:

The Town of Paradise is legally required to direct and regulate land development and land uses via its zoning regulations and other means that are consistent with its Paradise General Plan as well as **current state planning and zoning law**. During 2011 the State of California (via the State legislature and the Governor) enacted legislation (AB 26) that became legally in effect **February 1, 2012** and that dissolved all redevelopment agencies in California, including the Paradise Redevelopment Agency and its respective Redevelopment Area [RDA].

Recently town planning staff participated in detailed discussion with the Town Council concerning the current and potential future disposition of freestanding signs within Paradise and particularly those abandoned and partly damaged by the Camp Fire which, if removed, may not be able to be built back to their current configuration because of the more restrictive sign standards applied to the now defunct RDA. Upon conclusion of its discussion the Town Council provided a directive to planning staff to research this topic and identify possible action intended to help rectify this matter.

RECOMMENDED ZONING REGULATIONS TEXT AMENDMENTS:

Planning staff advises that text regulations within Chapters 17.37 (Sign Regulations) warrant amendment in order to: 1) accurately reflect the fact that the Paradise Redevelopment Area and its related agency no longer exist; 2) become internally consistent with all other PMC statutes; 3) become consistent with and further implement the Paradise General Plan; 4) create statutes that support the development of current and future commercial signs; and if adopted, would further assist in the Camp Fire recovery/rebuild efforts.

The recommended text amendments, if agreed upon by the Planning Commission and subsequently adopted by the Town Council, specifically delete sign regulations pertaining to the

Paradise Redevelopment Area [RDA] within Sections 17.37.300 and 17.37.700 of the Paradise Municipal Code [PMC].

DISCUSSION:

Paradise Municipal Code section 17.45.500 (*Procedures for zoning district(s) or zoning text amendments*) provides for the Planning Director to initiate the process of zoning code text amendments whenever public necessity, convenience or general welfare are sufficiently compelling to warrant Planning Commission and Town Council consideration of such amendments.

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 stated in the preceding discussions. The proposed new text within “Exhibit A” reflects the deletion of reference to the Paradise Redevelopment Area [RDA] and 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 adoption and implementation of the amendment would result in a direct and significantly adverse effect upon the environment. Thus, the proposed amendments 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].

COMMISSION ACTION REQUESTED:

Please be prepared to discuss the proposed amendments to the Town’s Zoning Ordinance with staff, other Commissioners and the attending public during the required noticed public hearing. At the conclusion of the public hearing, staff’s recommendation is for the Planning Commission to adopt Planning Commission Resolution No. 21-02, “A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to Sign Regulations Applicable to the No Longer Existent Paradise Redevelopment Agency and Area”. If deemed necessary by a majority consensus of Planning Commissioners present, staff will be prepared to discuss and make possible changes or additions to the text of the attached and proposed resolution prior to Planning Commission adoption.

LIST OF ATTACHMENTS FOR THE PROPOSED ZONING ORDINANCE TEXT AMENDMENT

1. Copy of the notice of public hearing for the proposed text amendment.
2. Copy of Notice of Exemption dated March 2, 2021.
3. Copy of Planning Commission Resolution No. 21-02, "A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Title 17 of the Paradise Municipal Code Relative to Freestanding Sign Regulations Applicable to the No Longer Existent Paradise Redevelopment Agency and Area".

NOTICE OF EXEMPTION

To: File

From: Town of Paradise, Development Services Department,
Planning Division, 5555 Skyway, Paradise, CA 95969

Project Title: PMC Chapter 17.37 Text Amendment

Project Applicant: Town of Paradise

Project Location: N/A

Project Description: Amendments to the Town Zoning Code relative to sign regulations of the no longer existent Paradise Redevelopment Area

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 x114

Signature: 

Date: 03/2/2021

**TOWN OF PARADISE PLANNING COMMISSION
RESOLUTION 21-02**

**A RESOLUTION OF THE PARADISE PLANNING COMMISSION RECOMMENDING
TOWN COUNCIL ADOPTION OF TEXT AMENDMENTS TO TITLE 17 OF THE
PARADISE MUNICIPAL CODE RELATIVE TO SIGN REGULATIONS APPLICABLE TO THE NO
LONGER EXISTENT PARADISE REDEVELOPMENT AGENCY AND AREA**

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, as of February 1, 2012, state law (AB 26) dissolved all redevelopment agencies in California, including the Paradise Redevelopment Agency and its respective Redevelopment Area, and

WHEREAS, the Town planning staff advise that text regulations within Chapter 17.37 of the Paradise Municipal Code (PMC) warrant amendment in order to: 1) accurately reflect the fact that the Paradise Redevelopment Area and its related agency no longer exist; 2) become internally consistent with all other existing PMC statutes; 3) become consistent with and further implement the Paradise General Plan; 4) create statutes that support development of current and future commercial signs; and if adopted, would assist in the Camp Fire recovery efforts; and

WHEREAS the Planning Commission conducted a duly noticed public hearing on March 16, 2021 to study and consider recommending Town Council adoption of text amendments to PMC Chapter 17.37 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 due to the basis of the foregoing, has determined that the text amendments to PMC Chapter 17.37 are warranted at this time in order to support the current and future development of commercial signs and particularly in order to aid in the rebuild efforts following the Camp Fire.

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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 Chapter 17.37 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 are 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.

PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this 16th day of March 2021 by the Following Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kim Morris, Chair

ATTEST:

Dina Volenski, Town Clerk

EXHIBIT "A"

SECTION 1. The text of subitem #2 listed under item "A" of Section 17.37.300 [Prohibited signs] shall be amended to read as follows:

2. Situated on "CC" [Community Commercial] zoned properties ~~, located outside of the Paradise Redevelopment Project Area [RDA],~~ any time and temperature indicators included as part of a business sign and maintained in working order;

SECTION 2. Section 17.37.700 [Business signs—Regulations in all zoning districts] of the Paradise Municipal Code shall be amended to alter the listing of the freestanding signs regulations within Table 17.37.700 pertaining to the Paradise Redevelopment Area [RDA] to be deleted and to read as follows:

Type of Sign	Zones	Regulations
Freestanding signs	R-C, AG-10, AG-20, AR-1, AR-3, AR-5, RR-1, RR-2/3, RR-1/2, TR-1, TR-1/2, TR-1/3	Refer to identification signs section 17.37.400.G.
	N-C, C-B, C-S, C-F, M-F	40 square feet; maximum 6 feet height; 1 per site
	C-C, I-S (excepting RDA , Scenic Highway Corridors)	Monument, post or pole, 100 square feet, maximum height 10 feet (monument), and 16 feet (post, pole or pylon); 2 per site
	RDA (excepting the Downtown Revitalization Area) Scenic Highway Corridors	Monument or post, 100 square feet, maximum height 8 feet; 1 per site

**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, March 16, 2021 at 6:00 p.m. in the Paradise 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 sign regulations in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would alter business sign regulations within PMC Sections 17.37.300 (prohibited signs) and 17.37.700 (business signs) that refer to the no longer existent Paradise Redevelopment Area.

The project files are available for public inspection at the Development Services Department, Paradise Town Hall. 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 114.

SUSAN HARTMAN
Planning Director