



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931  
TELEPHONE (530) 872-6291 FAX (530) 877-5059  
www.townofparadise.com

## **Planning Commission Staff:**

Craig Baker, Community Development Director  
Susan Hartman, Assistant Planner

## **Planning Commission Members:**

Jody Jones, Chair  
Daniel Wentland, Vice Chair  
James Clarkson, Commissioner  
Stephanie Neumann, Commissioner  
Michael Zuccolillo, Commissioner

# **PLANNING COMMISSION AGENDA**

**6:00 PM – November 19, 2013 – Regular Meeting**

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 x 111 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, including closed session. 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 Council 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, Room 3, 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. Approve the minutes of the October 15, 2013 Regular Planning Commission Meeting.

### **2. COMMUNICATION**

- a. Recent Town Council Actions  
b. Staff Comments

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

**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 Item determined to be exempt from environmental review  
GILKEY GENERAL PLAN AMENDMENT/REZONE (PL10-00026)  
APPLICATION: The Planning Commission will consider adoption of a resolution recommending Town Council approval of an amendment to the Town of Paradise General Plan land use designation affecting a +0.24 acre portion of a +4.7 acre property from Community Services (CS) to Central Commercial (CC) and change the zoning from Community Services (CS) to Central Business (CB) to accommodate a lot line adjustment that is intended to resolve conflicting legal descriptions for two adjacent properties and to relocate a property boundary that currently lies beneath an existing commercial building. No physical development is proposed. The property involved is improved with a portion of the Paradise Memorial Trailway in Paradise; APN 052-223-017. The property is located on the south side of Pearson Road between Black Olive and Sierra Park Drive.

**6. OTHER BUSINESS**

6a. Staff will update the Planning Commission regarding the Town's recent release of a Request for Proposals to a number of consulting firms for a work effort to update the Town of Paradise General Plan Housing Element. Staff will ask the Planning Commission to set a date for a special Planning Commission meeting shortly after November 25, 2013 to review proposals submitted to the Town and possibly adopt a recommendation to the Town Council for awarding a contract for the Housing Element update.

**7. COMMITTEE ACTIVITIES**

**8. COMMISSION MEMBERS**

**9. FUTURE AGENDA ITEMS**

**10. 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	



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## PLANNING COMMISSION MINUTES

**October 15, 2013  
6:00 PM**

**CALL TO ORDER** by Chair Jody Jones at 6:00 pm in the Town Council Chamber located at 5555 Skyway, Paradise, CA.

**PLANNING COMMISSIONERS PRESENT:** James Clarkson, Stephanie Neumann, Daniel Wentland, Michael Zuccolillo and Jody Jones, Chair.

**PLANNING COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Craig Baker, Community Development Director; Joanna Gutierrez, Town Clerk.

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

#### **1. APPROVAL OF MINUTES**

**1a.** MOTION by Wentland, seconded by Zuccolillo, approved the regular meeting minutes of September 17, 2013. Roll call vote was unanimous.

#### **2. COMMUNICATION**

**2a. Recent Council Actions:** Community Development Director Baker reported that at the October 8, 2013 meeting, the Town Council introduced an ordinance to adopt the 2013 Building Standards Codes and certain amendments to the Paradise Municipal Code; and, acknowledged receipt of Pedestrian Safety recommendations that resulted from the community Pedestrian Safety Workshop held on September 5, 2013.

**2b. Staff Comments:** None.

**3. PUBLIC COMMUNICATION – None.**

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

#### **5. PUBLIC HEARING**

**5a. EMBRY ASSET GROUP TREE FELLING PERMIT APPLICATION:** Request for town approval of a tree felling permit proposing the felling of +/-36 qualifying trees upon a vacant +1.62 acre site zoned Community Commercial (CC) located at 6574 Clark Road

**(AP No. 050-400-013 and 014) to facilitate construction of a +/-9,100 square foot discount retail store (Dollar General) and related site improvements.**

Community Development Director Baker reported that the trees that are subject of the application are proposed for felling to accommodate development of the site with a commercial retail building and that many of the trees proposed for removal have grown on top of fill dirt that was left from the development of the K-Mart shopping plaza three decades or so ago. Mr. Baker pointed out that the application appears to be complete and consistent with Town tree felling and zoning regulations. Mr. Baker noted for the record that a letter of opposition to the tree removal was received from John Heebink, owner of two houses located on Clark Road south of the proposed site of the Dollar General, a copy of which has been provided to each Planning Commissioner and is part of the public record.

Chair Jones opened the public hearing at 6:15 pm.

1. Brian Berry stated that he represents Embree Asset Group, the developers for the proposed Dollar General store, that they are happy to be pursuing the development of a second Dollar General store in Paradise, and that he would be happy to answer any questions. In response to questions from Community Development Director Baker, Mr. Berry stated that he has seen the letters submitted with regard to the project, and that he is in agreement with the recommended action and conditions.
2. Carol Serrano stated that she was alarmed that 36 trees might be felled, is concerned that the trees might be cut down unnecessarily if the project does not go forward, as occurred with a project behind Wells Fargo several years ago and on the Walgreen's site. Ms. Serrano also stated that she is concerned that a second Dollar General Store will not be successful and is very concerned about the dust and traffic issues that will be created during the excavation and removal of the fill dirt from the project site. Ms. Serrano explained that she was owner of a business in James Square when the Safeway shopping center was developed in the early 1980's and the excavation that occurred was a nightmare for them between the trucks hauling dirt created traffic hazards.

Commissioner Wentland stated that the standards for excavating have changed and the situation that occurred during the construction of the Safeway site is very unlikely to occur during the development of the Dollar General. He stated that the trucks used to haul off the dirt will not be 18-wheelers, rather, the smaller trucks that haul ten yards or so.

3. Jeff Rice stated that he is the property owner of property adjacent to the proposed Dollar General site, has no problem with a commercial property coming in but wants to be sure that the neighborhood is protected from noise, light and dust that will be generated by the store. Mr. Rice stated that he has issues with the proposed site of the septic leach field as it will be located within a few feet of his property. Mr. Rice provided copies of a petition that he circulated requesting a sound wall be placed between the neighboring homes and the project. Mr. Rice, in response to a question from Commissioner Wentland, stated that he has not yet discussed the location of the leach lines with any town staff.

Commissioner Neumann reminded Mr. Rice that the Planning Commission was not reviewing the site plan and could make no decision relative to lighting, and asked if Mr. Rice had met with the developers. Mr. Rice stated that he met Brian Berry tonight and plans to meet with the developers in the future to discuss his concerns with the project.

At the request of Chair Jones, Community Development Director explained that the lighting would be addressed during the Town's design review of the project and that security lighting would be

required to be shielded and directed downward. Mr. Baker suggested that Mr. Rice examine the type of lighting installed at the Dollar General located on Skyway. Mr. Baker also stated that dust abatement and erosion control measures will be required and any issues with either should be reported to the Town.

4. Mr. Berry stated that he will continue to meet with Mr. Rice and other neighbors as they intend to build a project that is good for the community, that they will replace all the trees on the site one-to-one and take every possible opportunity to shift the septic leach field and place trees such that any impact to neighbors is minimized. Addressing Ms. Serrano's concerns, Mr. Berry stated that they will take every pre-caution to prevent abandoning the project after trees have been felled and that when their company closes escrow on a property, they make sure they have a tenant lease and that plans are set in stone prior to the felling of any trees.

Commissioner Neumann stated that she visited the site to determine if any of the trees could be saved, realizes that the trees must be removed because they have grown out of the fill dirt, and asked Mr. Berry if more than the 36 trees could be replaced.

Mr. Berry stated that they will be able to replace the trees one-to-one and that there may be opportunities to plant even more on the site.

Chair Jones closed the public hearing at 6:40 pm.

**Following a MOTION by Wentland, seconded by Zuccolillo**, the Planning Commission, by unanimous roll call vote, (1) Adopted the following findings for approval as provided by staff; and, (2) Approved the Embree Asset Group tree felling permit application (PL13-00261), authorizing the felling of up to thirty-six (26) qualifying trees on property located at 6574 Clark Road (APNs 050-400-013 & 14), subject to the conditions listed below:

**FINDINGS FOR APPROVAL**

A. The Embree Asset Group tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to accommodate the establishment of a Retail land use upon land that is planned designated and zoned to accommodate such a land use.

B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

**CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT**

1. Secure the issuance of a construction permit for any required septic system construction permit for the proposed retail store office facility.

2. File any required building permit applications for the proposed retail store with the Town Building Official/Fire Marshal.

**GENERAL CONDITIONS**

3. Required landscape plans for the proposed retail store shall be designed to accommodate all required replacement trees and, to the extent that is feasible, shall be designed to buffer and screen the proposed project from abutting residential properties south of the site via an aggressive tree and shrub

planting plan along the southerly project site boundary. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.

4. All trees to be retained on the site shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.

5. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction.

ROLL CALL VOTE: AYES: Clarkson, Neumann, Wentland, Zuccolillo and Chair Jones. NOES: None. ABSTAIN: None. ABSENT: None.

Community Development Director Baker announced that the Planning Commission decision can be appealed within ten (10) days of today's date by filing an appeal with the Town Clerk.

**5b. PARADISE MUNICIPAL CODE: Planning Commission consideration of a recommendation for Town Council adoption of a proposed text amendment to the Town's zoning regulations contained in Paradise Municipal Code Title 17 (Zoning Ordinance). If adopted, the amendment would affect a municipal code section related to the definition of "major utility service" by rewording the definition to include privately-owned and operated major utility services. As currently worded, the definition only includes publicly-owned and operated major utility services.**

Community Development Director Baker reported to the Planning Commission that the intent of the proposed amendments is to create the ability for the Town to authorize the establishment of privately owned and operated utility services, including clustered wastewater treatment plants as primary land uses on independent parcels to promote the establishment and retention of commercial and residential land use projects within the Town of Paradise. Mr. Baker stated it is his belief that that public necessity, convenience and general welfare are sufficiently served as to warrant Planning Commission and Town Council adopt of such amendments. In addition, the amendments would contribute to the economic sustainability of the Paradise community. If approved by the Planning Commission, the proposed text amendments resolution will be forwarded to the Town Council for consideration.

Chair Jones opened the public hearing at 6:53 pm. There were no speakers for or against the matter and Chair Jones closed the public hearing.

Following a MOTION by Neumann, seconded by Clarkson, the Planning Commission, by unanimous roll call vote, adopted Planning Commission Resolution No. 13-05, A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Chapter 17.04 of the Paradise Municipal Code Relative to Major and Minor Utility Services.

ROLL CALL VOTE: AYES: Clarkson, Neumann, Wentland, Zuccolillo and Chair Jones. NOES: None. ABSTAIN: None. ABSENT: None.

- 6. **OTHER BUSINESS – None.**
- 7. **COMMITTEE ACTIVITIES – None.**
- 8. **COMMISSION MEMBERS – None.**
- 9. **ADJOURNMENT**

Chair Jones adjourned the Planning Commission Meeting at 6:53 pm.

Date Approved:

By: \_\_\_\_\_  
Jody Jones, Chair

\_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk





**M E M O R A N D U M**

**AGENDA NO. 5(a)**

**TO:** Paradise Planning Commission

**FROM:** Craig Baker, Community Development Director

**SUBJECT:** Public Hearing - Consider Adoption of a Resolution Recommending Town Council Adoption of Paradise General Plan Land Use Map Amendment and Rezoning Of Certain Real Property within the Town of Paradise (Gilkey; PL12-00020)

**DATE:** November 12, 2013

**BACKGROUND:**

The downtown Paradise area in the vicinity of Black Olive Drive and Pearson Road was originally surveyed in the early 1900's. This survey was approved by the County Board of Supervisors on March 10, 1904 and recorded in Book 4 of Maps, at Page 7.

In May, 1942, D.A. Blackburn, prepared a map titled "Map of Woodside Subdivision". This Subdivision further divided the area east of Black Olive Drive. This subdivision was filed for record in Book 14 of Maps at Page 25.

In April, 2006, the Town of Paradise retained L & L surveying to perform a Record of Survey of the area, as part of the land acquisition for the Town of Paradise Community Park and the Memorial Trail way Infill Project. This record of survey identified a potential conflict between the two previous subdivision actions, and indicated that lot 12 of the Woodside Subdivision actually encroaches about 14 feet into the right of way of Pearson Road. This Record of Survey was recorded on December 5<sup>th</sup>, 2006, in Book 169 of Maps at Pages 73 and 74.

The actual parcels proposed to be adjusted are as follows:

<u>APN</u>	<u>Owner</u>	<u>Business Name</u>
APN 052-223-016	Mica Gilkey	Paradise Screenprinters
APN 052-223-027	Paradise RDA	Parking Lot/Chocolate Fest Bldg
APN 052-223-017	Town of Paradise	Trailway and Parking Lot

Largely as a result of these conflicting surveys, the property lines for APN 052-223-016 currently run through the existing building at 220 Pearson, and extends into what should be the right of way for Pearson Road. The current landowner of 220 Pearson Road (Gilkey) proposed to grant to the Town of Paradise the 653 square feet of area within the Pearson Road "right of way". In

return, the Redevelopment Agency would grant 1,020 square feet to Gilkey, and the Town of Paradise will grant the 231 square feet to Gilkey. When recorded this proposed lot line adjustment (LLA) will improve the value of both parcels, as it eliminates an obvious nonconforming encroachment, it eliminates a potential right of way issue in Pearson Road, and it provides sufficient usable area for the Gilkey parcel to actually own land upon which septic system improvements serving the commercial building at 220 Pearson Road have been constructed partly upon Town property.

This proposed LLA was brought before the Town Council on September 14<sup>th</sup>, 2010. The Council at that time concurred with the proposal in concept, and L & L Surveying begin processing the legal documents.

Once the LLA plats were prepared, Planning staff was consulted to determine consistency with zoning and the Town's General Plan. Based upon current zoning codes, it was determined that the resulting RDA Parcel, APN 052-223-027, will be 0.02 acres too small to comply with current CB zoning district regulations. In addition, a small portion of the resultant Gilkey property would have been designated and zoned Community Services (CS) in conflict with adopted CS zoning regulations. Therefore, the LLA as envisioned could not move forward without a General Plan Land Use Map Amendment and property rezone involving adjacent RDA and Town property.

On January 18, 2012, Ms. Mica Gilkey filed a formal General Plan amendment and rezone application that is the subject of this public hearing. If approved by the Town Council, the requested action would affect a +/-0.24 acre portion of Town property that is currently improved with a public parking facility for the purpose of facilitating recordation of a revised LLA that will reconcile all lot line issues for the property at 220 Pearson Road.

## **DISCUSSION**

The stated purpose of the LLA is to create resultant lot lines that do not bisect the Gilkey commercial building and a portion of the septic system and deed additional Pearson Road right-of-way to the Town. Normally, these types of "land swaps" would be handled through a standard LLA, processed administratively by the Town Engineer. This particular application is more complicated, since one of the parcels is privately owned, one is owned by the Town and one is owned by the Paradise Redevelopment Agency (RDA). Due to circumstances attributable to the current California State budget, no transactions involving redevelopment agency (RDA) property may occur at the present time. As a result, no lot line adjustment involving the RDA-owned parcel can occur until such time as the procedural and legal issues involving the State's budget are resolved, regardless of other issues related to the LLA. It is hoped that the issues involving the disposition of RDA properties will be resolved shortly.

Once the Town Council has granted approval of the necessary General Plan amendment/rezone, formal agreements will be drafted between the Town and Gilkey, and the Paradise Redevelopment Agency (RDA) and Gilkey. The sale of the portion of the RDA parcel will also need to be set for public hearing, pursuant to Section 33433 of the Health and Safety Code. These agreements are planned to be scheduled for a public hearing at a future Town Council/RDA meeting.

The second major issue involving the proposed LLA is that its original design was in conflict with the Town's zoning regulations. The Gilkey and the RDA parcels lie within the Central Business (CB) zoning district. The proposed LLA would reduce the size of the RDA parcel to 0.23 acre, which is less than the 0.25 acre minimum parcel size required in the CB zone. In other words, the RDA parcel cannot be reduced to less than 0.25 of an acre. It should be noted that, since it predates the zoning ordinance, the legal nonconforming (+/-0.059 acre) size of the Gilkey parcel is not an obstacle to recording the LLA, as long as its resultant parcel size is no less than its current size.

The proposed LLA also involved a 0.05 acre portion of Town of Paradise (Memorial Trailway) property, which is zoned Community Services (CS). The minimum parcel size in the CF zone is 0.5 acre. One must bear in mind that altering lot lines does not alter the location of zoning district boundaries. Town zoning regulations require that when a resultant parcel lies within two separate zoning districts, each affected portion of the parcel is subject to the respective zoning district regulations. Consequently, any resultant portion of any property zoned CS must be 0.5 acres in size. The design of the originally proposed LLA did not accomplish this.

The solution that has been proposed via the submittal of a revised LLA plat is to configure the Gilkey parcel as previously proposed and enlarge the RDA parcel to include all of the public parking facility to the toe of the fill slope on its east and south sides. This solution solves both zoning issues, but required the filing of a General Plan amendment/rezone application to change the General Plan land use designation and zoning for a +/-0.24 acre land area currently designated and zoned CS to CC (Central Commercial) and CB, respectively.

Town staff has determined, and the Town Attorney has concurred, that since the proposed General Plan amendment and rezone is not a "project" pursuant to the California Environmental Quality Act (CEQA) and no physical development of any kind is proposed, there is no possibility that the requested approvals would result in a direct and significantly adverse effect upon the environment. Therefore, 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 (General rule exemption).

Staff has developed the attached resolution document (and its attached exhibit "A") that, if adopted by the Planning Commission as recommended by staff, would recommend Town Council adoption of a General Plan Land Use Map amendment for a +/-0.24 acre portion of property currently improved with a public parking facility from Community Services (CS) to Central Commercial (CC) and adopt a zoning ordinance to rezone the same land area from Community Services (CS) to Central Business (CB).

**COMMISSION ACTION REQUESTED:**

Please be prepared to discuss and decide whether or not the Planning Commission should adopt a motion to forward a recommendation to the Town Council, via adoption of Planning Commission Resolution No. 13-06, to facilitate the General Plan and zoning changes outlined above.

Attachments

## **LIST OF ATTACHMENTS FOR THE PROPOSED GENERAL PLAN AMENDMENT/REZONE**

1. Notice of public hearing and vicinity map for the proposed General Plan amendment and property rezone
2. Mailing list of property owners notified of the November 19, 2013 public hearing
3. Planning Commission Resolution No. 13-06 (with an attached Exhibit "A"), "A Resolution of the Planning Commission of the Town of Paradise Recommending Town Council Adoption of Paradise General Plan Land Use Map Amendment and Rezoning Of Certain Real Property Within the Town of Paradise (Gilkey; PL12-00020)"
4. General Plan amendment, rezone and (revised) lot line adjustment plat for Gilkey/Town of Paradise submitted by L & L Surveying

## NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

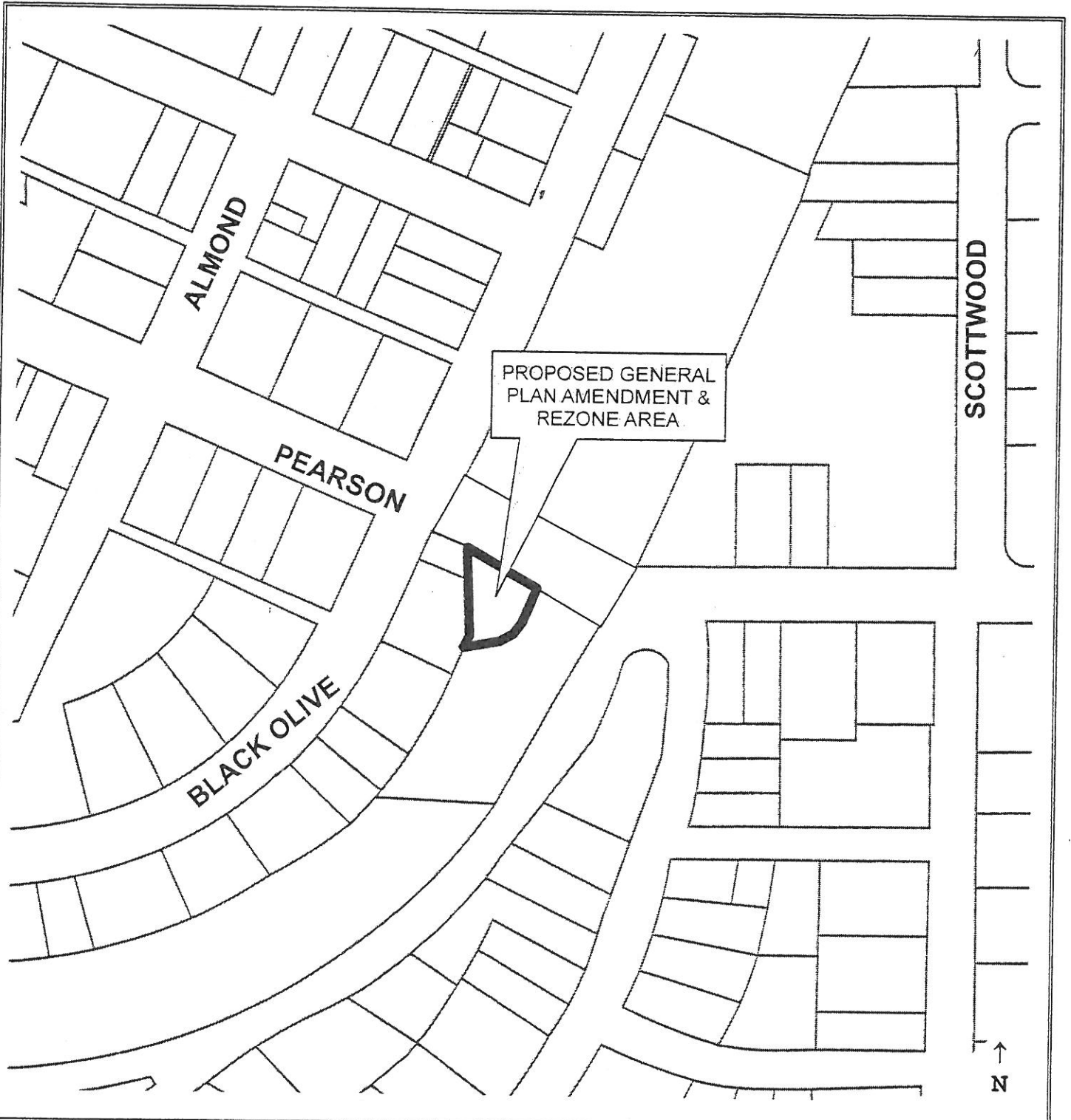
NOTICE IS HEREBY GIVEN by the Planning Commission that a public hearing will be held on Tuesday, November 19, 2013 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matters:

a. Item determined to be exempt from environmental review

**GILKEY GENERAL PLAN AMENDMENT/REZONE (PL10-00020) APPLICATION:** Planning Commission consideration of a resolution recommending Town Council approval of an amendment to the Town of Paradise General Plan land use designation affecting a  $\pm 0.24$  acre portion of a  $\pm 4.7$  acre property from Community Services (CS) to Central Commercial (CC) and change the zoning from Community Services (CS) to Central Business (CB) to accommodate a lot line adjustment that is intended to resolve conflicting legal descriptions for two adjacent properties and to relocate a property boundary that currently lies beneath an existing commercial building. No physical development is proposed. The property involved is improved with a portion of the Paradise Memorial Trailway in Paradise; APN 052-223-017.

The project file is available for public inspection at the Town of Paradise, Development Services Department. If you challenge this matter 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 contact the Development Services Department, Town Hall, 5555 Skyway, Paradise, CA (530) 872-6291 ex. 111.

CRAIG BAKER, Planning Director



PROPOSED GENERAL  
PLAN AMENDMENT &  
REZONE AREA.

APPLICANT: MICA GILKEY		PARADISE MEMORIAL TRAILWAY AT PEARSON ROAD
OWNER: TOWN OF PARADISE		
REQUEST: General Plan land use map amendment (CS to CC) and rezone (CS to CB) application to facilitate the recordation of a lot line adjustment to reconcile conflicting deed descriptions and eliminate a nonconforming use.		
Zoning: CS	GENERAL PLAN: CS	FILE NO. PL12-00020
ASSESSOR PAREL: 052-223-017		MEETING DATE: 11/19/2013

052-203-032-000  
A H HARLEY & SON INC  
5631-B BLACK OLIVE DR  
PARADISE CA 95969

052-222-003-000  
AU PATRICK ETAL  
1296 GRAND RIVER DR  
SACRAMENTO CA 95831

052-232-007-000  
BARKER ELAINE SAWYER TRUST  
PO BOX 1772  
LOOMIS CA 95650

052-231-004-000  
BEBICH DARLENE M  
PO BOX 134  
DURHAM CA 95938

052-223-028-000  
BOIVIE LAWRENCE S & DEBORAH  
KISLINGBURY  
5709 SCOTTWOOD RD  
PARADISE CA 95969

052-232-004-000  
CHURCH JOSEPH B & VIRGINIA L  
FAMILY TRUST  
5619 SIERRA PARK  
PARADISE CA 95969

052-223-009-000  
CRAIG MEMORIAL  
CONGREGATIONAL CHURCH  
5665 SCOTTWOOD RD  
PARADISE CA 95969

052-223-026-000  
CRAIG MEMORIAL  
CONGREGATIONAL CHURCH  
5665 SCOTTWOOD RD  
PARADISE CA 95969

052-223-008-000  
CRAIG MEMORIAL  
CONGREGATIONAL CHURCH OF  
PARADISE  
5665 SCOTTWOOD  
PARADISE CA 95969

052-204-005-000  
CREIGHTON DOROTHY ESTATE  
ETAL  
5721 SCOTTWOOD RD  
PARADISE CA 95969

052-223-022-000  
CROSSEN ADRIA  
5693 SCOTTWOOD RD  
PARADISE CA 95969

052-226-002-000  
FEDERAL NATIONAL MORTGAGE  
ASSOCIATION  
3415 VISION DR  
COLUMBUS OH 43219

052-225-011-000  
GAGNE ARI & MACK KELLY  
FRANCES  
3036 IVY ST  
SAN DIEGO CA 92104

052-223-002-000  
HIGHTOWER FAMILY TRUST ETAL  
4301 KEITH LN  
CHICO CA 95973

052-222-005-000  
HOPPS TRISHA L ETAL  
6683 VIEW ACRES  
PARADISE CA 95969

052-222-006-000  
HOPPS TRISHA L ETAL  
6683 VIEW ACRES  
PARADISE CA 95969

052-226-011-000  
JELLEMA OSCAR & WAGGONER-  
JELLEMA SANDRA L MACARTHU  
11187 NELSON BAR RD  
YANKEE HILL CA 95965

052-226-009-000  
JOHNSON MICHAEL L & LIZA NANCY  
6190 GREENWOOD DR  
PARADISE CA 95969

052-223-023-000  
LAVIN GREGORY G  
18 PHEASANT RIDGE DR  
PARADISE CA 95969

052-204-001-000  
MADSEN NORMAN B & ELSE M  
REVOCABLE TRUST  
1296 HAGEN RD  
NAPA CA 94558

052-204-012-000  
MADSEN NORMAN B & ELSE M  
REVOCABLE TRUST  
1296 HAGEN RD  
NAPA CA 94558

052-232-009-000  
MAY EDWARD J  
6246 ARTHUR CT  
MAGALIA CA 95954

052-231-005-000  
MCCARTHY KATHEREN JO  
5408 BLACK OLIVE DR  
PARADISE CA 95969

052-223-012-000  
MONTEREY COUNTY BANK  
601 MUNRAS AVE  
MONTEREY CA 93940

052-223-013-000  
MONTEREY COUNTY BANK  
601 MUNRAS AVE  
MONTEREY CA 93940

052-223-016-000  
NEWMAN WALTER D & GILKEY MICA  
S TRUST  
692 MEYERS LN  
PARADISE CA 95969

052-225-012-000  
NORTON HAROLD DANIEL TRUST  
5415 BLACK OLIVE DR  
PARADISE CA 95969

052-225-004-000  
OLINGER LES & MARGO  
15320 NORTHLAKE RD  
MAGALIA CA 95954

052-222-015-000  
PARADISE REDEVELOPMENT  
AGENCY  
5555 SKYWAY  
PARADISE CA 95969

052-223-027-000  
PARADISE REDEVELOPMENT  
AGENCY  
5555 SKYWAY  
PARADISE CA 95969



052-226-010-000  
RUBIOLO DOUGLAS ALLEN  
5431 SCOTTWOOD RD  
PARADISE CA 95969

052-204-006-000  
SAKSCHIEWSKI DAVID & KORENE  
5715 SCOTTWOOD RD  
PARADISE CA 95969

052-222-018-000  
SMITH EDWARD N & MARILYN A  
14241 MONTE CALLE  
MAGALIA CA 95954

052-226-015-000  
SMITH VERNON  
659 NORTHGRAVES AVE  
CHICO CA 95928

052-222-017-000  
SOETH REVOCABLE INT VIV TRUST  
205 PEARSON RD  
PARADISE CA 95969

052-225-020-000  
SOETH REVOCABLE INT VIV TRUST  
ETAL  
205 PEARSON RD  
PARADISE CA 95969

052-223-021-000  
STABILE FRAN M  
5687 SCOTTWOOD RD  
PARADISE CA 95969

052-232-010-000  
TALKEN SHIRLEY FAMILY TRUST  
5633 SIERRA PARK DR  
PARADISE CA 95969

052-223-011-000  
TRUJILLO NICOLE  
PO BOX 252  
PARADISE CA 95967

052-232-003-000  
VANLANDUYT LARRY & JUDY  
6159 GREENWOOD DR  
PARADISE CA 95969

052-226-001-000  
WAHL THOMAS EUGENE  
5654 SIERRA PARK DR  
PARADISE CA 95969

052-225-013-000  
WILSON RAYMOND H & TERRY  
JEANINNE JT  
5403 BLACK OLIVE DR  
PARADISE CA 95969

L&L Surveying  
P.O. Box 671  
Paradise, CA 95967

Paradise Unified School District  
6696 Clark Road  
Paradise, CA 95969

Paradise Irrigation District  
6332 Clark Road  
Paradise, CA 95969

Paradise Recreation & Park Dist.  
6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
5550 Skyway  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Paradise Downtown Business  
Association  
c/o Fir Street Gallery/Pam Funk  
6256 Skyway  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
629 Entler Ave., Suite 15  
Chico, CA 95928

Butte Environmental Council  
116 W. 2<sup>nd</sup> Street #3  
Chico, CA 95928

Pacific Gas & Electric  
Laird Oelrichs, Land Agent  
350 Salem St.  
Chico, CA 95928

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**TOWN OF PARADISE  
PLANNING COMMISSION**

**RESOLUTION NO. 13-06**

**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  
(GILKEY; PL12-00020)**

**WHEREAS**, the Paradise Planning Commission has conducted a public hearing, pursuant to the California Planning and Zoning Law, concerning a proposed amendment to the Paradise General Plan and property rezone; and

**WHEREAS**, said public hearing also included review of potential environmental impacts, pursuant to the California Environmental Quality Act; and

**WHEREAS**, Sections 65353, 65354 and 65854 of the California Government Code require the Planning Commission to conduct a public hearing and notify the Town Council in writing of its recommendation; and

**WHEREAS**, the Planning Commission has considered the analysis and recommendation of the Community Development Department (planning division) and has considered the comments made at a public hearing conducted by the Planning Commission on November 19, 2013; and

**WHEREAS**, the Planning Commission has determined that an amendment to the Paradise General Plan Land Use Map for a Central Commercial (CC) land use designation and its related zone change to a Central Business (CB) zoning district affecting property identified as AP Nos. 052-223-017 (portion), as proposed, is in the public interest.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**SECTION 1.** The Planning Commission of the Town of Paradise hereby finds:

- a. That the proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Section 15061 (General rule exemption).
- b. That the general plan land use designation and zoning district requested to be assigned to the project property via the general plan amendment/rezone project application

**RESOLUTION NO. 13-06**

(PL12-00020) is appropriate and reasonable because it would assign a Central Commercial (CC) general plan land use designation and Central Business zoning (CB) to a property which is situated at a location and with characteristics that satisfy the 1994 Paradise General Plan policies that are applicable to Central Business-oriented land development.

**SECTION 2.** The Planning Commission of the Town of Paradise hereby recommends to the Town Council approval of the project application for Paradise General Plan Land Use Map amendment and its related zone change known as the Gilkey (PL12-00020) application for a portion of property identified as AP No. 052-223-017 as set forth in Exhibit "A", attached hereto and made a part hereof by reference.

**PASSED AND ADOPTED** by the Planning Commission of the Town of Paradise this 19th day of November, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**NOT VOTING:**

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Town Clerk

## Exhibit "A"

### Town Rezone Parcel

All that certain real property situated in the Town of Paradise, County of Butte, State of California described as follows:

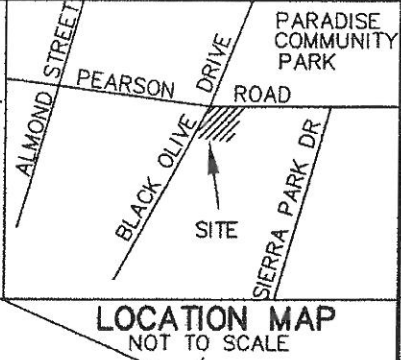
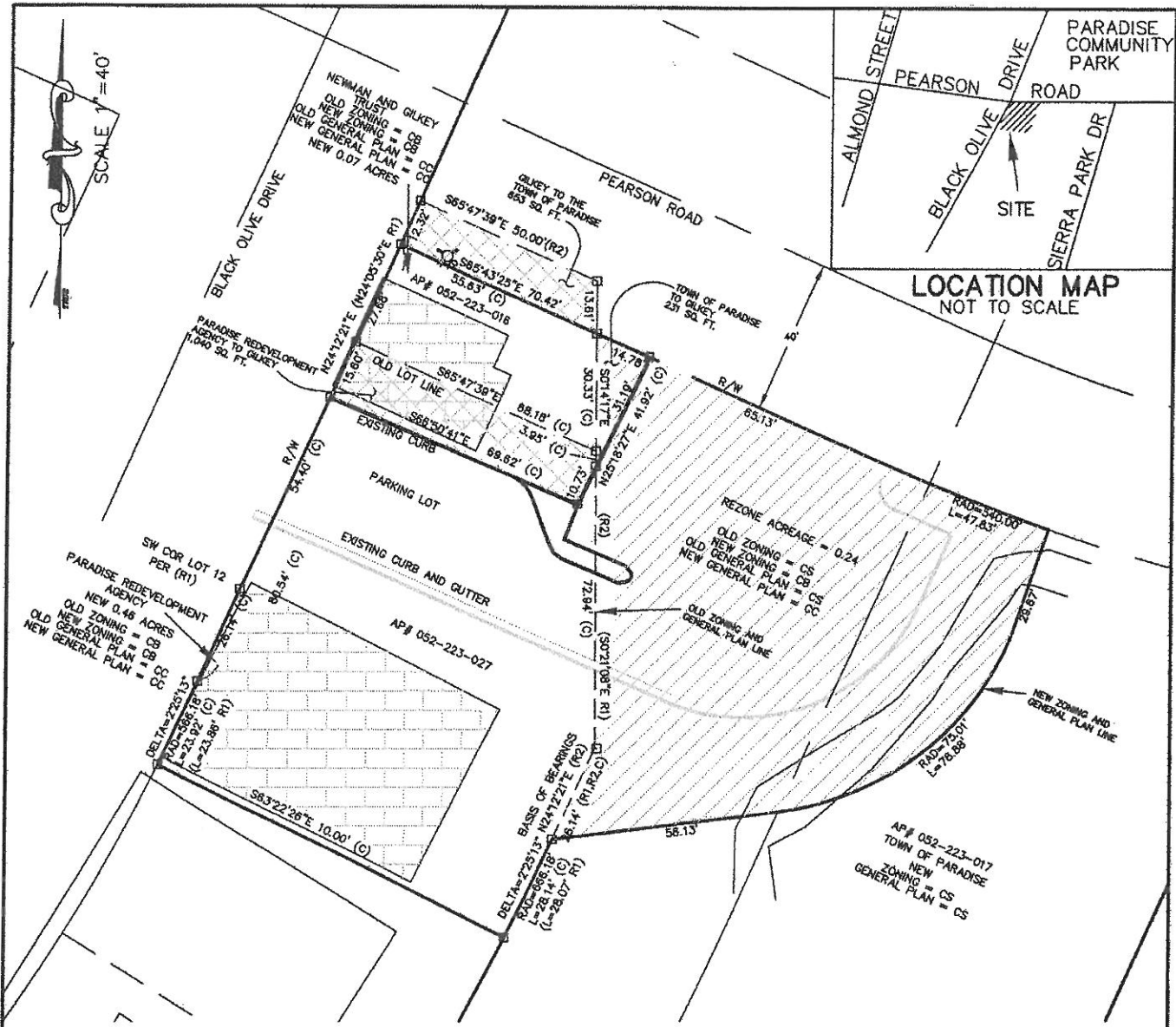
Beginning at the Southeast Corner of Lot 11 as shown on that certain map entitled "Woodside Subdivision" which map was recorded in the office of the Recorder of the County of Butte, State of California on July 13, 1942, in Book 14 of Maps, at page(s) 25 and 26, said point also being on 666.18 foot radius curve, concave to the West, from which a line to the Radius bears North 63°22'26" West thence following Northerly along the arc of said curve and Easterly boundary of said Lot 11, through a central angle of 2°25'13", for a length of 28.14 feet to the TRUE POINT OF BEGINNING of the herein described parcel of land; thence North 24°12'21" East along said Lot 11 boundary, 26.14 feet; thence North 00°14'17" West along the East boundary of Lot 12 of said Woodside Subdivision and the Northerly prolongation thereof, a distance of 107.22 feet to a point on the Southerly Right of Way of Pearson Road; thence South 65°43'25" East along said Southerly Right of Way, a distance of 79.88 feet to the beginning of a tangent 540 foot radius curve, concave to the North; thence following Easterly along the arc of said curve, through a central angle of 5°04'32", for a length of 47.83 feet; thence South 19°12'03" West, 29.67 feet to the beginning of a non-tangent 75.01 foot radius curve, concave to the Northwest, from which a line to the radius bears North 67°14'02" West; thence following Southwesterly along the arc of said curve, through a central angle of 60°15'15", for a length of 78.88 feet; thence South 83°01'13" West, 58.13 feet to the point of beginning.

Containing 0.24 Acres, more or less



*Lorraine Anne Lundy*

11-13-13



**LEGEND**

- INDICATES CALCULATED POSITION
- (C) INDICATES CALCULATED ONLY
- (R1) INDICATES RECORD PER BOOK 14, MAPS, PG 24-25
- (R2) INDICATES RECORD PER BOOK 169, MAPS, PG 73-74
- GENERAL PLAN AMENDMENT & REZONE AREA
- EXISTING BUILDINGS
- PROPERTIES TO BE EXCHANGED
- FIRE HYDRANT

**GENERAL PLAN AMENDMENT  
REZONE &  
LOT LINE ADJUSTMENT  
PLAT  
FOR  
GILKEY / TOWN OF PARADISE**

Town of Paradise      Butte County      California

**L & L SURVEYING**

1007 BILLE ROAD PO BOX 671 PARADISE, CA 95667 (530)877-4300