



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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

[www.townofparadise.com](http://www.townofparadise.com)

## TOWN ENGINEER MEETING AGENDA

**REGULAR MEETING – 2:00 PM – April 13, 2020**

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Dept., at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk. Members of the public may address the Town Engineer on any agenda item. If you wish to address the Town Engineer on any matter on the Agenda, it is requested that you e-mail the Town Engineer at [mmattox@townofparadise.com](mailto:mmattox@townofparadise.com) in advance of the hearing. All writings or documents which are related to any item on an open session agenda and which are distributed to the Town Engineer within 72 hours of a Regular Meeting will be available for public inspection on the town's website at [www.townofparadise.com](http://www.townofparadise.com). Due to the public health emergency related to COVID-19, Town Hall is currently closed and comments for this meeting will only be accepted electronically.

### **CALL TO ORDER**

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

- a. Approve minutes from the September 30, 2015 Town Engineer meeting.

#### **2. PUBLIC COMMUNICATION (Public Presentation of Non-Agenda Items)**

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 Town Engineer meeting. (Please see item 4. Public Hearing, to find out how to participate)

#### **3. CONTINUED PUBLIC HEARING** - None.

#### **4. PUBLIC HEARING**

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

The Town Engineer meeting is available to be viewed on livestream at

<https://livestream.com/townofparadise/events/9082202>

Public comment will be accepted by email with the subject line PUBLIC COMMENT ITEM \_\_\_\_ to [mmattox@townofparadise.com](mailto:mmattox@townofparadise.com) prior to 1:30 p.m. on the day of the meeting and will be read into the record during public comment. Written comments are subject to the regular time limitations of five minutes per speaker, please limit to 400 words or less. If you are unable

to provide your comments in writing, please contact the Town Clerk's office for assistance at (530) 872-6291.

Public comment may be submitted by telephone during the meeting, prior to the close of public comment on an item by calling (530) 872-6146 at the time indicated by the Town Engineer. Alternately you may send an email with the subject line:

TELEPHONE PUBLIC COMMENT ITEM \_\_\_\_ to the Town Clerk and include your telephone number and the Town Engineer will call you during public comment.

Disabled persons may request reasonable modifications or accommodations relating to the use of telephonic or electronic observation and participation prior to the Council meeting by contacting the Town Clerk at (530) 872-6291 ext. 102.

- 4a. Item proposed to be determined categorically exempt from environmental review

**TEETER - ROCKFORD LANE CERTIFICATE OF CORRECTION –**  
Application to remove 50' setback of the previously recorded Sandra Lee Teeter Parcel Map on property located at 5507 and 5501 Rockford Lane, Paradise and identified as AP Nos. 054-230-124 and 054-230-125, respectively.

- 4b. Item proposed to be determined categorically exempt from environmental review

**FLAHERTY - TYDEN LANE / PEPE COURT CERTIFICATE OF CORRECTION –** Application to remove 50' setback of the previously recorded Larry Duncan Parcel Map on property located at 1654 Pepe Court, Paradise and identified as AP No. 053-140-096.

## 5. 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 ENGINEER Meeting Minutes**

**2:00 PM – September 30, 2015**

The Town Engineer hearing was called to order by Town Clerk Joanna Gutierrez at 2:00 p.m. in the Town Council Chamber located at 5555 Skyway, Paradise, California.

Staff present: Marc Mattox, Public Work Director/ Town Engineer; Joanna Gutierrez, Town Clerk.

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

- a. Public Works Director Marc Mattox approved the minutes of August 12, 2015, as presented.

### **2. PUBLIC HEARING**

Director Mattox opened the public hearing regarding the following item:

- a. Item proposed to be determined categorically exempt from environmental review

HAYS CERTIFICATE OF CORRECTION (EN15-00102) – Application to correct areas shown to exceed 30% slope on Parcel 1 of the previously recorded Palmer Parcel Map on property located at 870 Big Sky Drive, Paradise and identified as AP No. 055-190-065.

There were no speakers on the matter and the hearing was closed.

Project Decision: Director Mattox approved the Certificate of Correction as set forth herein.

### **3. ADJOURNMENT**

Town Clerk Gutierrez adjourned the meeting at 2:05 p.m.

By: \_\_\_\_\_

Marc Mattox, Public Work Director/Town Engineer

\_\_\_\_\_

Joanna Gutierrez, CMC, Town Clerk

# M E M O R A N D U M

AGENDA NO. 4(a)

**TO:** File

**FROM:** Marc Mattox, Public Works Director/Town Engineer

**SUBJECT:** Teeter Certificate of Correction  
AP 054-230-124 and 054-230-125

**DATE:** April 9, 2020

**BACKGROUND:** The project applicant is requesting approval to record a certificate of correction to remove 50' setback of the previously recorded Sandra Lee Teeter Parcel Map on property located at 5507 and 5501 Rockford Lane, Paradise and identified as AP Nos. 054-230-124 and 054-230-125, respectively, in the Office of the Recorder of Butte County, California.

The proposed correction is acceptable due to the fact that Rockford Lane is a private roadway in Paradise, California. Private roadways are not subject to the same 50' Building Setback Line (BSL) which are required for public roadways. A copy of the proposed corrections is attached to this Memorandum.

**ANALYSIS:** Legal advice obtained from the Town Attorney indicated that the request to amend a final map is allowed under Section 66472.1 of the Subdivision Map Act. This proposed modification is consistent with current zoning standards.

**ANALYSIS CONCLUSION:** Based upon Section 66472.1 of the Subdivision Map Act and Section 17.20.400 of the Town of Paradise Municipal Code, staff is recommending approval of the certificate of correction.

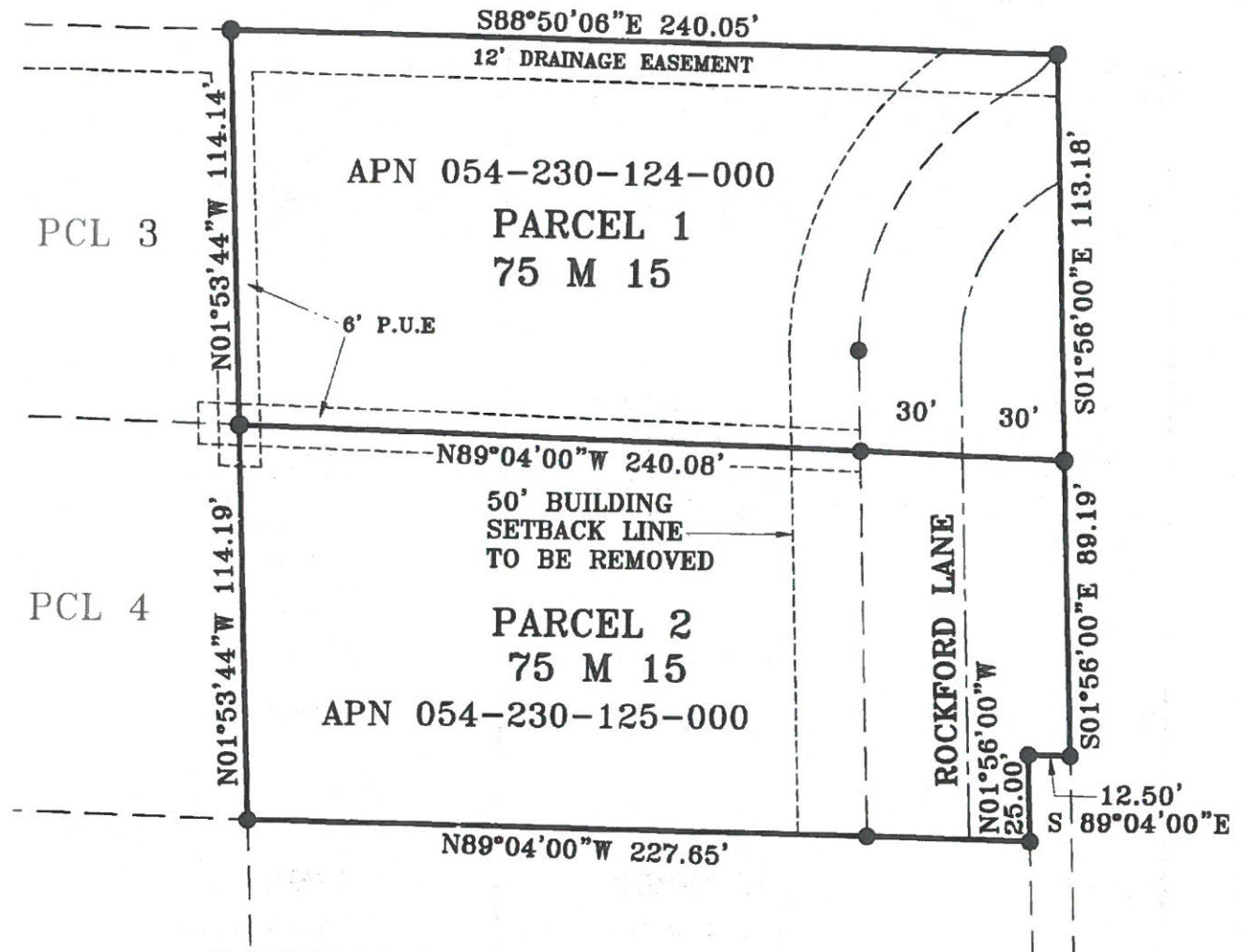
## REQUIRED FINDINGS FOR APPROVAL

- a. Find that the project is categorically exempt from the requirements of CEQA, pursuant to Section 15369.
- b. Find that the project is consistent with the goals and land use development policies of the current Paradise General Plan.
- c. Find that Section 66472.1 of the Subdivision Map Act allows this type of correction.

- d. Find that Section 16.14 of the Town of Paradise Municipal Code authorizes the Town Engineer or the Planning Commission to correct or amend a final map after it has been recorded with the Butte County Recorder.
- e. Find that the Town's Contract Land Surveyor has reviewed this Certificate of Correction, and has approved the Certificate as submitted.

**RECOMMENDED ACTION:** Adopt the findings for approval as provided by staff and approve the Certificate of Correction for recording.

# EXHIBIT A



DOUGLAS L. &  
PAMELA TEETER  
5507 ROCKFORD LANE  
PARADISE, CALIFORNIA  
APN 054-230-124-000

DOUGLAS L. TEETER JR.  
5501 ROCKFORD LANE  
PARADISE, CALIFORNIA  
APN 054-230-125-000



1"=50'

## LEGEND

- MONUMENT OF RECORD  
PER 75 M 15

**DOMINICK'S**  
CIVIL ENGINEERING AND SURVEYING  
P.O. BOX 1216  
RED BLUFF, CA. 96080  
530-529-3560



**RECORDING REQUESTED BY:**

Joseph F. Dominick III, LS5110  
Dominick's Civil Engineering and Surveying

**AFTER RECORDING, RETURN TO:**

Town of Paradise, Public Works Dept.  
5555 Skyway  
Paradise, California 95969

**WHEN RECORDED FILE WITH  
MAP LISTED BELOW**

*Space Above For Recorder's Use Only*

**CERTIFICATE OF CORRECTION**

COUNTY OF BUTTE       )  
                                  ) ss  
STATE OF CALIFORNIA    )

Joseph F. Dominick III, being duly sworn, deposes and says:

That the following corrections or additions to the **Parcel Map for Sandra Lee Teeter** filed in **Book 75 at Pages 14 and 15 of Maps**, in the Office of the Recorder, of Butte County, California, are made by me in accordance with Section 66469 through 66472.1 of the Subdivision Map Act:

The purpose of this Certificate of Correction is to remove 50 foot building setback line.

See minutes of Town Engineer, Town of Paradise, dated \_\_\_\_\_, Removing the 50 foot building setback.

**Certificate of Town Engineer**

This is to certify the above certificate of correction has been examined for compliance with Title 16 of the Paradise Municipal Code.

\_\_\_\_\_  
Marc A. Mattox, Town Engineer  
R.C.E. No. 79885  
Expires 09/30/2020

I, James S. Riotto, P.L.S. 3911 do certify that I have examined this certificate of correction on behalf of the Town of Paradise and I am satisfied that it is in compliance with Section 66471 of the Subdivision Map Act.

\_\_\_\_\_  
James S. Riotto, P.L.S. 3911  
Expires



\_\_\_\_\_  
SIGNATURE & SEAL of  
Joseph F. Dominick III

Listed below are the preset fee owners of property affected by the correction or addition:

Douglas L. Teeter Jr.  
Pamela Teeter

RECORDING REQUESTED BY  
L & L Surveying  
(Engineer or Surveyor)

After Recording, return to  
Town of Paradise, Public Works Dept.  
5555 Skyway  
Paradise, CA 95969  
WHEN RECORDED FILE WITH  
MAP LISTED BELOW

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### CERTIFICATE OF CORRECTION

COUNTY OF BUTTE       )  
                                  ) ss  
STATE OF CALIFORNIA )

Lorraine Anne Lundy being duly sworn, deposes and says:  
(Name of Engineer or Surveyor)

That the following corrections or additions to the map of Parcel Map for Larry Duncan, as filed in Book 99, at Pages 33 Maps, in the Office of the Recorder, of Butte County, California, are made by me in accordance with Section 66469 through 66472.1 of the Subdivision Map Act:

**The purpose of this Certificate of Correction is to eliminate the 50 foot and 70 foot building setback lines on Parcel 4 as they are delineated on said Larry Duncan Parcel Map. Said setback lines are along the private road Pepe Court and the private road Tyden Lane.**

See minutes of Town Engineer hearing dated \_\_\_\_\_, 2020.

**Eliminates 50 foot and 70 foot building setback lines on Parcel 4.**

Certificate of Town Engineer:

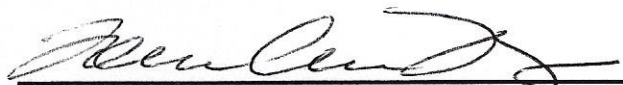
This is to certify the above certificate of correction has been examined for compliance with Title 16 of the Paradise Municipal Code.

\_\_\_\_\_, Town Engineer  
R.C.E. No. \_\_\_\_\_, Expires \_\_\_\_\_

I, James S. Riotto, P.L.S. 3911 do certify that I have examined this certificate of correction on behalf of the Town of Paradise and I am satisfied that it is in compliance with Section 66471 of the Subdivision Map Act.

James S. Riotto, P.L.S. 3911  
Expires 6-30-20



  
Lorraine Anne Lundy L.S. 6689  
Expires 6-30-20

Listed below are the present fee owners of property affected by the correction or addition:

Matthew and Carrie Flaherty



# M E M O R A N D U M

AGENDA NO. 4(b)

**TO:** File

**FROM:** Marc Mattox, Public Works Director/Town Engineer

**SUBJECT:** Flaherty Certificate of Correction  
AP 053-140-096

**DATE:** April 9, 2020

**BACKGROUND:** The project applicant is requesting approval to record a certificate of correction to remove 50' setback of the previously recorded Larry Duncan Parcel Map on property located at 1654 Pepe Court, Paradise and identified as AP No. 053-140-096, in the Office of the Recorder of Butte County, California.

The proposed correction is acceptable due to the fact that Tyden Lane and Pepe Court are private roadways in Paradise, California. Private roadways are not subject to the same 50' Building Setback Line (BSL) which are required for public roadways. A copy of the proposed corrections is attached to this Memorandum. A copy of public comments received to date and corresponding responses are also attached for clarification.

**ANALYSIS:** Legal advice obtained from the Town Attorney indicated that the request to amend a final map is allowed under Section 66472.1 of the Subdivision Map Act. This proposed modification is consistent with current zoning standards.

**ANALYSIS CONCLUSION:** Based upon Section 66472.1 of the Subdivision Map Act and Section 17.20.400 of the Town of Paradise Municipal Code, staff is recommending approval of the certificate of correction.

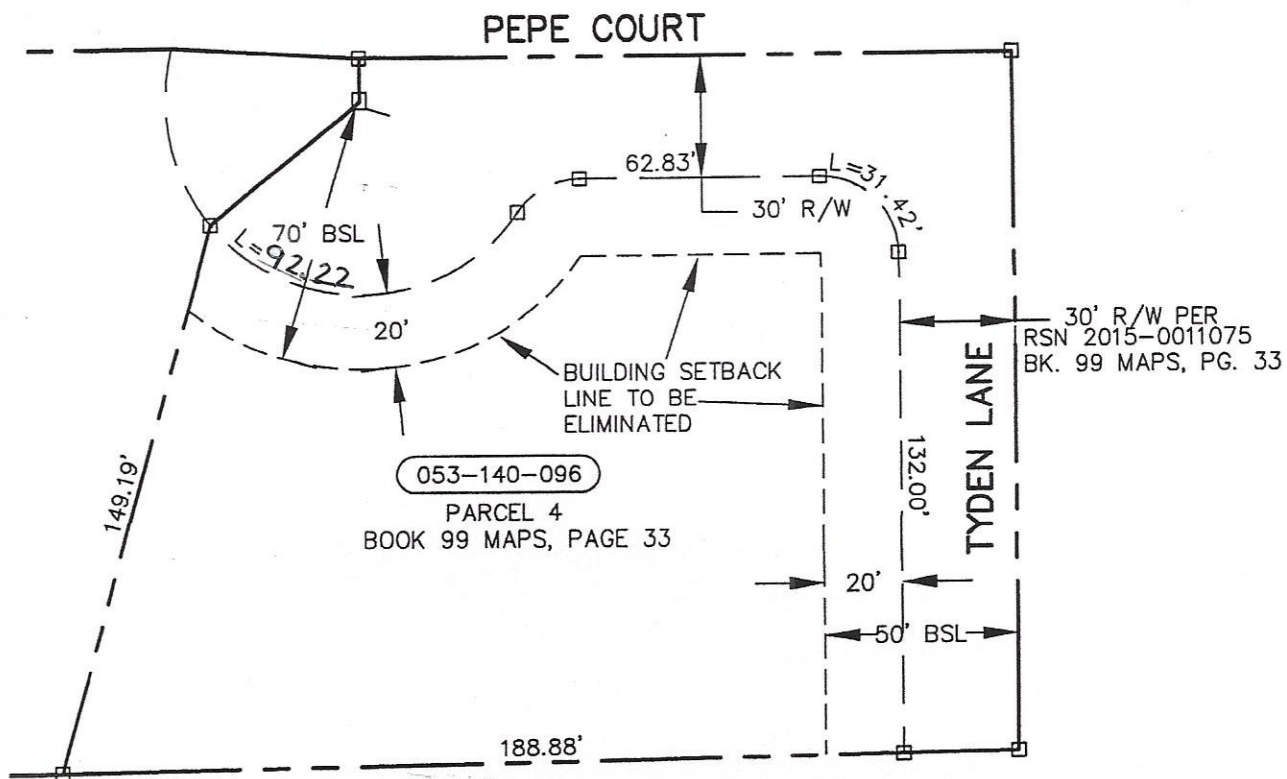
## REQUIRED FINDINGS FOR APPROVAL

- a. Find that the project is categorically exempt from the requirements of CEQA, pursuant to Section 15369.
- b. Find that the project is consistent with the goals and land use development policies of the current Paradise General Plan.
- c. Find that Section 66472.1 of the Subdivision Map Act allows this type of correction.

- d. Find that Section 16.14 of the Town of Paradise Municipal Code authorizes the Town Engineer or the Planning Commission to correct or amend a final map after it has been recorded with the Butte County Recorder.
- e. Find that the Town's Contract Land Surveyor has reviewed this Certificate of Correction, and has approved the Certificate as submitted.

**RECOMMENDED ACTION:** Adopt the findings for approval as provided by staff and approve the Certificate of Correction for recording.

PARCEL 1  
BOOK 99 MAPS, PAGE 32



A circular professional seal for Lorraine Anne Lundy, a Licensed Land Surveyor in the State of California. The seal features the text "LICENSED LAND SURVEYOR" at the top, "LORRAINE ANNE LUNDY" in the middle, and "STATE OF CALIFORNIA" at the bottom, separated by two stars. The license number "No. 6689" is centered within the seal.

\_\_\_\_\_ - PROPERTY LINE  
 \_\_\_\_\_ - EASEMENT RIGHT OF WAY  
 \_\_\_\_\_ - BUILDING SETBACK LINE TO BE ELIMINATED  
 (053-140-096) - ASSESSORS PARCEL No.  
☐ - CALCULATED PROPERTY CORNER

# PLAT OF CERTIFICATE OF CORRECTION FOR MATTHEW AND CARRIE FLAHERTY PARCEL 4, BOOK 99 OF MAPS, PAGE 33

JN 20-01-003



PO BOX 671  
PARADISE, CA. 95967

(530) 570-6715 [llsurvey@sbcglobal.net](mailto:llsurvey@sbcglobal.net)

EXHIBIT "D"

SHEET 1 OF

RECORDING REQUESTED BY  
L & L Surveying  
(Engineer or Surveyor)

After Recording, return to  
Town of Paradise, Public Works Dept.  
5555 Skyway  
Paradise, CA 95969  
WHEN RECORDED FILE WITH  
MAP LISTED BELOW

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### CERTIFICATE OF CORRECTION

COUNTY OF BUTTE       )  
                                  ) ss  
STATE OF CALIFORNIA )

Lorraine Anne Lundy being duly sworn, deposes and says:  
(Name of Engineer or Surveyor)

That the following corrections or additions to the map of Parcel Map for Larry Duncan, as filed in Book 99, at Pages 33 Maps, in the Office of the Recorder, of Butte County, California, are made by me in accordance with Section 66469 through 66472.1 of the Subdivision Map Act:

**The purpose of this Certificate of Correction is to eliminate the 50 foot and 70 foot building setback lines on Parcel 4 as they are delineated on said Larry Duncan Parcel Map. Said setback lines are along the private road Pepe Court and the private road Tyden Lane.**

See minutes of Town Engineer hearing dated \_\_\_\_\_, 2020.

**Eliminates 50 foot and 70 foot building setback lines on Parcel 4.**

Certificate of Town Engineer:

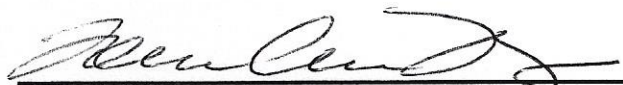
This is to certify the above certificate of correction has been examined for compliance with Title 16 of the Paradise Municipal Code.

\_\_\_\_\_, Town Engineer  
R.C.E. No. \_\_\_\_\_, Expires \_\_\_\_\_

I, James S. Riotto, P.L.S. 3911 do certify that I have examined this certificate of correction on behalf of the Town of Paradise and I am satisfied that it is in compliance with Section 66471 of the Subdivision Map Act.

James S. Riotto, P.L.S. 3911  
Expires 6-30-20



  
Lorraine Anne Lundy L.S. 6689  
Expires 6-30-20

Listed below are the present fee owners of property affected by the correction or addition:

Matthew and Carrie Flaherty

Jerry & Isabelle Rozycki  
6154 Tyden Way  
Paradise, CA.  
Ref. APN#: 053-140-096

April 03, 2020

Dear Mr. Marc Maddox,

We have received from you copy of the "Certificate of Correction" with regard to eliminate building setback lines for parcel #4 (ref. APN#: 053-140-096). After reviewing the proposed revision we have following questions and concerns:

1. According to legal description of our property (ref. APN#: 053-140-080) there is existing 60 feet wide utility easement at 30 feet on each side of Tyden Way along respective property lines. (Please see attached).
2. The indicated existing BSL line of 20 feet from property line is in conflict with the recorded utility easement.
3. If said BSL will be eliminated on Parcel #4 does that give the owner potential right to construct permanent structure within 5 feet of the property line (along Tyden Way) as would be then permissible by the California Building Code, in absence of required setback lines?
4. If the Town will approve proposed elimination of BSL on parcel # 4, we are requesting that 30 feet BSL will be eliminated along our property line (in reference to property located at 6154 Tyden Way ref. APN#: 053-140-080)

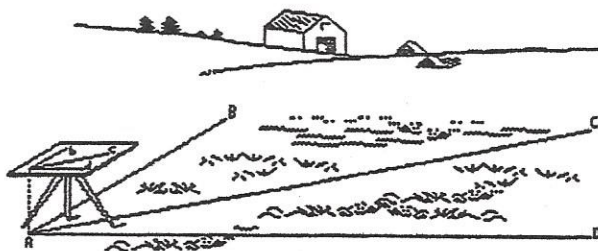
Sincerely,

  
Jerry M. Rozycki

  
Isabelle A. Rozycki

Att.: Legal description of our property





L.S. 3911

## JAMES RIOTTO & Associates

LICENSED LAND SURVEYOR

LAVEÑIA RIOTTO - Office Manager

6269 Wall Lane, Paradise, CA 95969 • (530) 872-0606

Specializing In -

Legal Research	Map Checking
Legal Descriptions	Ownership & History
Title Investigations	Easements - Agreements
Expert Witness	

Marc Mattox  
Town of Paradise, Town Engineer

April 5, 2020  
Project # 20-45-Q1

### SUBJECT:

Answers to Questions from adjacent Owner

AP # 053-140-080

J. & I. Rozycki

Dear Marc,

In regard to your request, the following is my opinion and answers to the questions from the property owner of AP# 053-140-080, J. & I. Rozycki

- 1: Yes, the property owner is correct in that there is a 60' Road and public utility easement, lying 30' on each side of Tyden Way-as stated in the submitted legal description. The property line for parcels fronting on Tyden Way is the centerline of the 60' Road & Public Utility Easement.
- 2: There is no conflict with the 50' BSBL and the 30' easement located on the West side of Tyden Way. The BSBL is 50', measured from the centerline of Tyden way, and the easement is 30' measured from the centerline of Tyden Way. The BSBL as shown on Parcel4 of the Parcel Map is 20' in addition to the 30' Easement, making the BSBL 50' from the centerline of Tyden Way.
- 3: Elimination of the 50' BSBL by the proposed abandonment does not eliminate the 30' portion of the 60' Easement, only the additional 20' beyond the 30' Easement Line for AP# 053-140-096.
- 4: Although the property line is the centerline of Tyden Way & centerline of the Road & Utility Easement, no building, structure or construction, other than for road and utility purposes, can be done within the Road & Utility easement. Property lines give way to any constraints imposed by easements, or other constraints authorized by town Ordinances.

We sincerely hope this clears up the concerns the property owner has regarding the proposed abandonment.

Sincerely,

  
James Riotto

LS 3911

## Mattox, Marc

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**From:** JERRY ROZYCKI <jerry\_rozycki@comcast.net>  
**Sent:** Monday, April 6, 2020 9:37 AM  
**To:** Mattox, Marc  
**Subject:** RE: Public Hearing on April 13,2020

Thank you Marc, attached response from James Riotto completely clears my concerns, I have no further questions regarding proposed removal of BSL from lot #4.

Sincerely,

Jerry Rozycki

On April 6, 2020 at 8:25 AM "Mattox, Marc" <mmattox@townofparadise.com> wrote:

Good morning,

Please see attached. If you have any further questions, please let me know.

Thank you,

**Marc Mattox**

Public Works Director | Town Engineer

Town of Paradise | 530-872-6291 x125

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**From:** JERRY ROZYCKI <jerry\_rozycki@comcast.net>  
**Sent:** Friday, April 3, 2020 12:44 PM  
**To:** Mattox, Marc <mmattox@townofparadise.com>  
**Subject:** RE: Public Hearing on April 13,2020

Dear Mr. Maddox,

Please find enclosed our response and concerns regarding proposed public hearing on removal of BSL at Tyden Lane/Pepe Court in Paradise.

Sincerely,

Jerry and Isabelle Rozycki

6154 Tyden Way

Paradise

On April 2, 2020 at 5:21 PM "Mattox, Marc" <[mmattox@townofparadise.com](mailto:mmattox@townofparadise.com)> wrote:

Good evening,

Please see attached.

The purpose of this effort is to remove the incorrectly stated 50' building setback line which was included on the original map. 50' BSLs are only subject to public roads. Private roads by municipal code, have a BSL of 25-30' depending on the width of the roadway easement itself.

Please let me know if you have any questions or concerns. As noted in the letter, we are only accepting comments via email to prevent the spread of COVID-19.

Thanks,

**Marc Mattox**

Public Works Director | Town Engineer

Town of Paradise | 530-872-6291 x125

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**From:** JERRY ROZYCKI <[jerry\\_rozycki@comcast.net](mailto:jerry_rozycki@comcast.net)>

**Sent:** Thursday, April 2, 2020 5:09 PM

**To:** Mattox, Marc <[mmattox@townofparadise.com](mailto:mmattox@townofparadise.com)>

**Subject:** Public Hearing on April 13,2020

Dear Mr. Mattox,

Today we have received letter from Town of Paradise with regard to public hearing on proposed removal of 50' building setback at Tyden Lane / Pepe Court. Therefore, we would like to receive project files to review them prior to hearing.

Our contact information are as following:

Jerry and Isabelle Rozycki

6154 Tyden Way

Paradise, CA

E-mail: [jerry\\_rozycki@comcast.net](mailto:jerry_rozycki@comcast.net)

Phone: (530) 520-4586

Thank you in advance,

Jerry