



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:

Stephanie Neumann, Vice-Chair
James Clarkson, Commissioner
Martin Nichols, Commissioner
Daniel Wentland, Commissioner

PLANNING COMMISSION AGENDA

6:00 PM – March 17, 2015

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 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 & APPOINTMENTS

- 1a. Approve regular meeting minutes of February 17, 2015.
- 1b. Appointment of Planning Commission Chair & Vice-Chair for the remainder of the 20104/2015 Fiscal Year.

2. COMMUNICATION

- a. Recent 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 | 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. FOGARASSY TREE FELLING PERMIT APPLICATION (PL 15-00074)
Request for town approval of a tree felling permit proposing the felling of 5 qualifying trees upon a 0.76 acre property zoned Community Commercial (CC) located at 9045 Skyway (AP No. 050-040-007) due to potentially hazardous conditions.

5b. MEANS CONDITIONAL USE PERMIT MODIFICATION (PL15-00052)
APPLICATION: Request to Modify the Terms and Conditions of a Previously Approved Use Permit to allow the construction of a +/-1,290 square foot addition to an existing 5,790 square foot commercial building containing an automobile body repair business occupancy on property zoned Central Business and located at 6036 Foster Road in Paradise: AP No. 052-201-031

5c. MUSHAMEL CONDITIONAL USE PERMIT (PL15-00061)
APPLICATION: Conditional use permit application proposing the establishment of retail liquor sales, for off-site consumption, in an existing vacant commercial building on property zoned Neighborhood Commercial (NC) and located at 5540 Pentz Rd, AP No. 054-240-023.

5d. VERIZON WIRELESS SITE PLAN REVIEW PERMIT (PL15-00031)
APPLICATION: Site plan review permit approval to authorize the establishment of a 100 foot-tall wireless communications facility designed to appear as a mature pine tree and associated ground equipment upon a +3.09 acre property located at 6553 Skyway, zoned Community Commercial (CC) and currently developed to accommodate convenience storage (AP No. 052-090-063).

6. OTHER BUSINESS

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

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

9. ADJOURNMENT

STATE OF CALIFORNIA)	SS.
COUNTY OF BUTTE)	
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

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PLANNING COMMISSION MINUTES

February 17, 2015
6:00 PM

The February 17, 2015 Paradise Planning Commission Regular meeting was called to order by Chair Zuccolillo at 6:05 p.m. who led the Pledge of Allegiance to the Flag of the United States of America.

COMMISSIONERS PRESENT: James Clarkson, Martin Nichols, Daniel Wentland and Michael Zuccolillo, Chairman.

COMMISSIONERS ABSENT: Stephanie Neumann.

1. APPROVAL OF MINUTES

- 1a. MOTION by Nichols, seconded by Wentland, approved the Special Meeting Minutes of November 6, 2014 and December 22, 2014. Roll call vote of those present was unanimous; Neumann absent.

2. COMMUNICATION – None.

3. PUBLIC COMMUNICATION – None.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

- 5a. Assistant Planner Hartman reported to the Commissioner regarding the following item that is determined to be exempt from environmental review under CEQA Guidelines section 15601 (General rule exemption), a recommendation for the Commission to consider 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 a new residential use to the off-street parking requirements (senior housing) within PMC Chapter 17.38 and add a definition for "senior housing" to PMC Chapter 17.04 that would match the definition in the state law. Assistant Planner Hartman noted for the record that the resolution will be corrected to reference Civil Code Section 51.3 (Exhibit A, Section 1) rather than 51.11.

Commissioner Nichols noted that the Civil Code section referenced was not included with the agenda information and that he would like the commission to include in their action a direction to staff to provide further clarification in the report to Council, if necessary.

Chair Zuccolillo opened the public hearing at 6:10 p.m. There were no speakers on the matter and Chair Zuccolillo closed the public hearing.

MOTION by Nichols, seconded by Clarkson, adopted Town of Paradise Planning Commission Resolution No. 15-01, A Resolution of the Paradise Planning Commission Recommending Town Council Adoption of Text Amendments to Chapters 17.04 and 17.38 of the Paradise Municipal Code Relative to Senior Housing. Roll call vote of those present was unanimous; Neumann absent and not voting.

6. OTHER BUSINESS – None.

7. COMMITTEE ACTIVITIES – None.

8. COMMISSION MEMBERS -

a. Identification of future agenda items (All Commissioners/Staff): None.

9. ADJOURNMENT

Chair Zuccolillo adjourned the Planning Commission meeting at 6:17 p.m.

DATE APPROVED:

BY: _____
Michael Zuccolillo, Chairman

Joanna Gutierrez, CMC, Town Clerk

MEMORANDUM

TO: Planning Commission **AGENDA NO. 5(a)**
FROM: Craig Baker, Community Development Director
SUBJECT: Fogarassy Tree Felling Permit Application (PL15-00074); APN 050-040-007
DATE: March 10, 2015

SPECIAL INFORMATION:

The permit applicant and property owner, Arpad Fogarassy, is requesting approval from the Town of Paradise to fell and remove up to 5 qualifying ponderosa pine and Douglas fir trees on a ±0.76 acre property developed for residential use. The property is located at 9045 Skyway in the northern portion of the Paradise Community. The trees are proposed to be felled due to root damage and hazards to structures both on and off site.

The property is developed with a single family residence, a detached garage and storage buildings and contains 17 qualifying trees. Therefore, 12 qualifying trees would remain on the property if the tree felling permit is approved by the Planning Commission. The attached 8-1/2"x 11" site plan provided by the project applicant's contractor illustrates the locations of the trees proposed for felling relative to structures, property lines and other qualifying trees.

ANALYSIS

Along with other application materials, the project applicant's contractor submitted a written evaluation and listing of trees to be felled, received on March 5, 2015 and prepared by David Rowe, a California State-licensed tree contractor with more than seven years of local professional experience, which qualifies him as a "tree expert" pursuant to the town's tree felling regulations. Mr. Rowe's written evaluation correlates to the 8-1/2"x 11" site plan showing numbered trees proposed to be felled and qualifying trees proposed to remain. The report indicates the size and species of each tree and the reason each tree is proposed to be felled.

It is hoped that the project applicant and/or his contractor will be in attendance at the public hearing for this matter to answer any questions Planning Commissioners may have.

As of the date of this memorandum, neither the project applicant nor his consulting contractor for the project have requested relief from Town tree replacement requirements. Therefore, it is assumed that all qualifying trees felled during the course of site preparation will be replaced on-site as required with native, 15-gallon sized trees.

Zoning Regulations

The project site is zoned Community Commercial (CC). Current zoning regulations assigned to the site prohibit the establishment of a “commercial timber harvesting” as a primary land use. Commercial timber harvesting is generally defined within the Paradise Municipal Code (PMC) as the harvesting of 12 or more qualifying trees for commercial purposes from a single property within a twelve-month period. Since 4 other qualifying trees were recently felled on the property due to hazardous conditions and the applicant is proposing the felling of an additional 5 qualifying trees from his property (for a total of 9) within a twelve-month period, this tree felling permit application must be acted upon by the Planning Commission. However, the trees are proposed for felling in order to mitigate hazardous conditions on the site; not solely for the purpose of commercial timber harvesting. Thus, the proposed tree felling activity appears to be in compliance with current town CC zoning regulations.

Environmental Review

Since the existing land use on the site (single-family residential) is a legally-established land use, the issuance of a tree felling permit to remove hazards that threaten the land use is not subject to CEQA. The proposed tree felling activity will mitigate hazardous conditions on the site and it is not anticipated that this activity would result in any direct and unforeseen significantly adverse environmental impacts.

Tree Felling Regulations

Pursuant to Paradise Municipal Code (PMC) Section 8.12.090, any tree felling permit application proposing the felling of 5 or more qualifying trees and not associated with a single-family residential construction project or a planning or land use entitlement must be reviewed and acted upon by the Planning Commission. Since application materials indicate that more than 5 trees are proposed to be felled upon the Fogarassy property, the tree felling permit application was duly noticed and scheduled for Planning Commission consideration.

The Planning Commission may approve the issuance of a tree felling permit as proposed if it finds that all trees proposed for felling must be felled to mitigate hazards related to the trees.

Pursuant to the requirements of PMC Section 8.12.040, the Fogarassy tree felling permit application was submitted with detailed material evidence provided by a tree expert (as defined within town tree felling regulations), certifying that all 5 qualifying trees must be felled to mitigate hazards to improvements on the property. As mentioned above, no specific request for relief or partial relief from tree restocking/replacement has been submitted by the project applicant or the project’s consulting contractor for Planning Commission consideration.

ANALYSIS CONCLUSION

Based upon the preceding observations and analysis, it appears that the Fogarassy tree felling permit application is complete, consistent with applicable Town zoning regulations and eligible to be approved by the Planning Commission, pursuant to the requirements of Chapter 8.12 and Title 17 of the Paradise Municipal Code. Accordingly, staff has prepared potential findings to support approval of the tree felling permit application.

Planning Commissioners are encouraged to visit the project site property and contact Town staff with any questions prior to the scheduled public hearing.

FINDINGS FOR APPROVAL

- A. The Fogarassy 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 mitigate hazardous conditions that threaten improvements related to an existing single-family land use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

REQUESTED ACTION

- 1. Open the public hearing and solicit input from the attending public;
- 2. Close the public hearing and move to:
 - a. Adopt the findings for approval as provided by staff and approve the Fogarassy tree felling permit application (PL15-00074), authorizing the felling of up to 5 qualifying ponderosa pine and Douglas fir trees on property located at 9045 Skyway (APN 050-040-007), subject to the following condition:

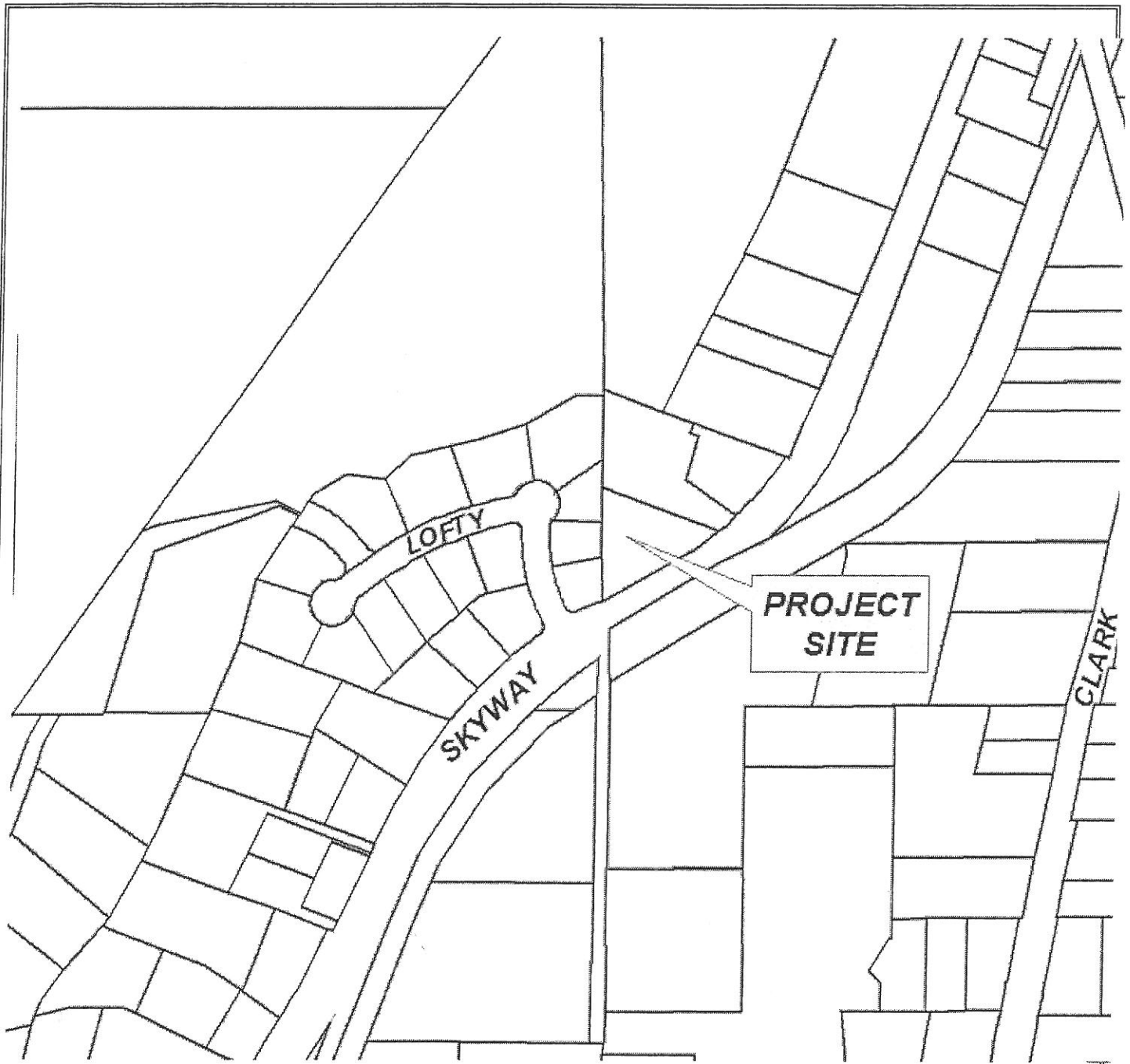
CONDITION OF TREE FELLING PERMIT APPROVAL

- 1. The approval action for the Fogarassy tree felling permit application shall be valid for an initial term of 24 months. This period may be extended administratively by the Community Development Director upon submittal of substantial evidence that unforeseeable extenuating circumstances have prevented the permit applicant from securing the issuance of the permit and completing the proposed tree felling activity.

Attachments

LIST OF ATTACHMENTS

1. Vicinity map of the project site area
2. List and map of property owners notified of the public hearing
3. Copy of the notice of public hearing for the Fogarassy tree felling permit application
4. Tree felling permit application (PL15-00074) submitted on February 25, 2015 for the proposed tree felling activity
5. Written certification provided by California State licensed tree contractor Dave Rowe (Lic. # 804077) the 5 trees proposed for felling must be felled to reduce hazards on the property, received by the town on March 5, 2015
6. Plot plan (8-1/2"x 11") submitted with the tree felling permit application showing the locations of numbered trees proposed to be felled relative to residential improvements, property lines and other qualifying trees on the site



APPLICANT: Arpad Fogarassy

OWNER: Same

9045 SKYWAY

REQUEST: Request for town approval of a tree felling permit proposing the felling of 5 qualifying trees upon a 0.76 acre property due to potentially hazardous conditions.

Zoning: CC

GENERAL PLAN: TC

FILE NO. PL15-00074

ASSESSOR PARCEL: 050-040-007

MEETING DATE: March 17, 2015

050-011-012-000
SKYWAY LAND PROJECT LLC
1090 VALLOMBROSA AVE
CHICO CA 95926

050-030-004-000
UNION PACIFIC RAILROAD CO
1400 DOUGLAS ST STOP 1640
OMAHA NE 68179

050-030-011-000
DUNLAP JEREMY JAMES &
KATHRYN A
1485 LOFTY VIEW DR
PARADISE CA 95969

050-040-007-000
FOGARASSY ARPAD J
9045 SKYWAY
PARADISE CA 95969

050-040-009-000
TOWN OF PARADISE
5555 SKYWAY
PARADISE CA 95969

050-040-121-000
CASTALDO REVOCABLE TRUST
ETAL
6 WILLIAMSBURG LN
CHICO CA 95926

050-040-131-000
PHEASANT RIDGE COMMONS LLC
PO BOX 519
PARADISE CA 95967

050-040-143-000
MILLER RODNEY LOUIS & CHERYL
LYNN FAMILY TRUST
9061 SKYWAY
PARADISE CA 95969

050-040-144-000
MILLER RODNEY LOUIS & CHERYL
LYNN FAMILY TRUST
9061 SKYWAY
PARADISE CA 95969

050-040-147-000
PARADISE AERIE 2960 FRATERNAL
ORDER OF EAGLES INC
9079 SKYWAY
PARADISE CA 95969

050-060-075-000
MINTZ DALE
9000 SKYWAY
PARADISE CA 95969

050-380-001-000
POTTS LESLIE J
5733 PACHECO LN
PARADISE CA 95969

050-380-002-000
STRUVE CAROLE A
1447 LOFTY LN
PARADISE CA 95969

050-380-003-000
MILLER JOHN R & ANN R FAMILY
TRUST
1445 LOFTY LN
PARADISE CA 95969

050-380-004-000
WELCH GAIL A
1443 LOFTY LN
PARADISE CA 95969

050-380-015-000
MURRAY JEFF
1444 LOFTY LN
PARADISE CA 95969

050-380-016-000
LEWIS JEFF & MALINDA FAMILY
TRUST
9005 SKYWAY
PARADISE CA 95969

050-380-022-000
SCHMEISER KAREN TRUST
6009 SHERMAN AVE
DOWNERS GROVE IL 60516

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. 2nd Street #3
Chico, CA 95928

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

**NOTICE OF PUBLIC HEARING
PARADISE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN by the Town of Paradise Planning Commission that a public hearing will be held at a Planning Commission meeting on Tuesday, March 17, 2015 at 6:00 p.m. in the Paradise Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

Items determined to be exempt from environmental review:

- a. **FOGARASSY TREE FELLING PERMIT APPLICATION (PL15-00074):** Request for town approval of a tree felling permit proposing the felling of 5 qualifying trees upon a 0.76 acre property zoned Community Commercial (CC) located at 9045 Skyway (AP No. 050-040-007) due to potentially hazardous conditions.

The project file is available for public inspection at the Development Services Department, Paradise Town Hall, 5555 Skyway, Paradise, CA 95969. 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 Town of Paradise Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291 x111.

CRAIG BAKER, Planning Director

TOWN OF PARADISE COMMUNITY DEVELOPMENT DEPARTMENT
5555 SKYWAY, PARADISE - (530)872-6291
TREE FELLING APPLICATION/PERMIT

AP NO. 050-040-007	PERMIT NO. P	DATE: 2-25-15
PROPERTY ADDRESS: 9045 Skyway		
PROJECT DESCRIPTION (attach additional sheet(s) if necessary)		
NUMBER OF TREES: 5 TYPE OF TREES: Pine		
DIAMETER OR CIRCUMFERENCE OF TREES (at 54" above grade):		
DATE FELLING SHALL START: First of March		
CONSTRUCTION PERMIT NO(S):		DATE ISSUED:
PURPOSE OF REMOVAL:		
TREE FELLING PERMIT HISTORY FOR PROPERTY:		
OWNER INFORMATION:		
NAME: Arjed FOGARASSY		TELEPHONE NUMBER: 513 0574
ADDRESS: STREET NUMBER/NAME: 19045 Skyway PARADISE		
CITY/STATE/ZIP:		
CONTRACTOR INFORMATION: LTO # A11227		
NAME: Thomas Scott Hinds		TELEPHONE NUMBER: 530 588-4170
ADDRESS: STREET NUMBER/NAME:		
CITY/STATE/ZIP:		
PERMIT FEE \$129.91	TREE REPLACEMENT FEE \$	RECEIPT NO.

PLOT PLAN (Show Streets, Structures and Tree(s) in space provided below.)

If this permit application is for five (5) or more qualifying trees, submit a separate plot map drawn to scale.

SEE ATTACHED

Bina ai

OWNER INFO

ARPAD FOGARASSY

513-0574

9045 SKYWAY

TREE #

1 = PINE DIA. 29" ROOTS COMPROMISED BY NEIGHBORING PINE THAT FELL.
HAS ROOT DAMAGE + LEANING TOWARDS NEIGHBORS HOUSE

2 = PINE DIA. 36.5" LEANING TOWARDS GARAGE + HOUSE

3 = PINE DIA. 33" LEANING TOWARDS HOUSE + GARAGE

4 = PINE DIA. 47" LEANING TOWARDS HOUSE, HAS BEETLES STARTING TO
ATTACK TREE

5 = FIR DIA. 49" NEXT TO FENCE + TOP HEAVY

6 = FIR DIA. 30"

7 = OAK DIA. 20.5"

8 = PINE DIA. 57.5"

9 = FIR DIA. 31"

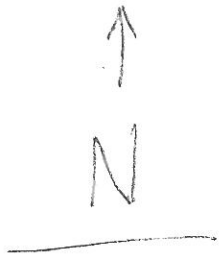
10 = FIR DIA. 29.5"

11 = FIR DIA. 53.5"

12 = FIR DIA. 71.5"

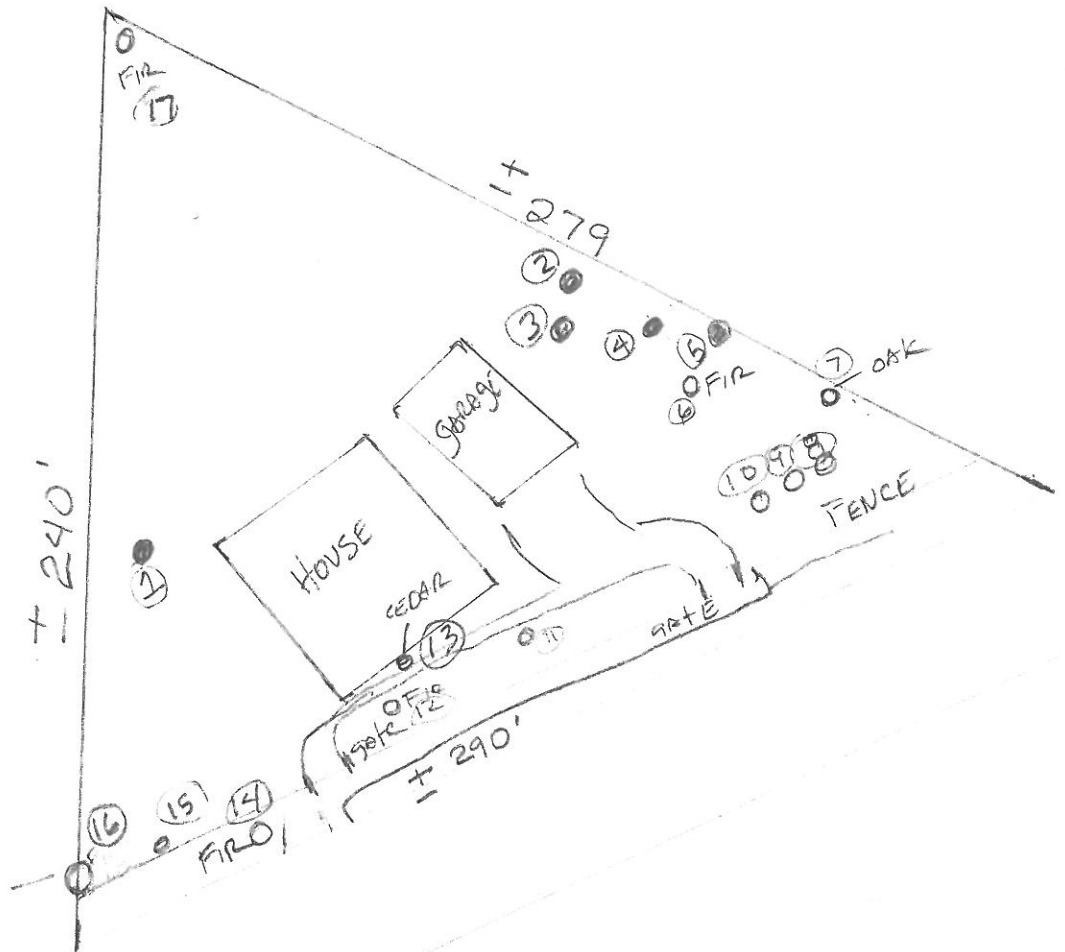
RECEIVED
MAR 05 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.



1" = 50'

9045 SKYWAY



SKYWAY

RECEIVED
MAR 05 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

M E M O R A N D U M

TO: Paradise Planning Commission **AGENDA NO. 5 (b)**

FROM: Craig Baker, Community Development Director

SUBJECT: Request to Modify the Terms and Conditions of a Previously Approved Use Permit Application (Means; PL15-00052); AP No. 052-201-031

DATE: March 10, 2015

BACKGROUND

The Paradise Planning Commission conducted a public hearing on May 6, 2002 to consider a use permit application proposing the establishment of an automotive body and paint shop on property located at 6036 Foster Rd in Paradise. The property is situated within the Central Business (C-B) zoning district and is further identified as APN 052-201-031. The use permit was approved by the Planning Commission subject to fourteen conditions of approval. Since 2002, the use permit terms and conditions have been modified by the town at the request of permittee Claude Means to **a)** remove a condition requiring a parcel merger (August 13, 2002) and **b)** modify a condition regarding permitted hours of operation (June 19, 2012). The use permit is currently subject to 13 conditions of approval (a copy of the use permit is attached).

On February 12, 2015, Mr. Means submitted a formal request to the town requesting modification of the use permit to allow a +/-1,816 square foot addition to the existing body shop to accommodate additional vehicle storage and work space. A portion of the square footage attributed to the size of the addition (+/-466 sq. ft.) is already a covered area. The use permit currently specifies the size of the building, not taking the proposed addition into account. Therefore, the permit should be modified to accommodate the new size of the building. In addition, the current use permit incorrectly specifies the size of the building as +/-3,296 square feet, when the existing size of the building currently has approximately 5,324 square feet of interior space. **Note:** The square footages represented on the plot plan are not accurate.

ANALYSIS

Comments from reviewing agencies have indicated support for the project. The existing business appears to be compatible with surrounding land uses and staff is not aware of any conflicts resulting from its operation. There will be no additional stormwater drainage, since the area proposed for the building addition is already paved and impervious. Additional storage space will allow vehicles that are being repaired to be

kept where they are not visible from off of the site and can be kept dry. Building coverage limitations of the CB zone will not be exceeded, no required parking will be removed from availability and the addition will be the same design and color as the existing building.

As a project involving the construction of a small building addition, the project can be determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines.

ANALYSIS CONCLUSION

In consideration of the preceding discussion, staff has identified no project-related impacts that would adversely affect adjoining or surrounding properties. If approved by the Planning Commission as recommended, the requested use permit modification would be consistent with the goals, objectives and land use policies of the 1994 Paradise General Plan; and should also be compatible with existing zoning as well as surrounding land uses. Therefore, town staff recommends Planning Commission approval of the use permit modification request to allow the proposed +/-1,816 square foot addition to the existing commercial building located at 6036 Foster Road.

RECOMMENDATION

1. Open the scheduled and noticed public hearing and solicit testimony from the attending public.
2. Close the public hearing and adopt the following findings to support the requested use permit modification:
 - a. Find that the proposed modified project remains categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 (Class 3) of the State CEQA Guidelines.
 - b. Find that the project, as modified and conditioned, is consistent with the Central Commercial designation as shown on the Paradise General Plan land use map; and is consistent with the development goals, objectives and policies of all applicable General Plan elements.
 - c. Find that the project, as modified and conditioned, is compatible with surrounding land uses and would not be detrimental to the health, safety and general welfare of the residents of the Town of Paradise.

Means (Classic Auto Body) Use Permit Modification

Page | 3

3. Direct staff to re-issue the Means (Classic Auto Body) Use Permit, modified to accurately reflect the resulting size of the existing commercial building and the proposed building addition (+/-7,140 sq. ft.).

ATTACHMENTS

1. Notice sent to surrounding property owners and published in the Paradise Post newspaper for the public hearing concerning the Means Use Permit modification application scheduled for March 17, 2015
2. Project vicinity map
3. Mailing list of property owners notified of the public hearing concerning the Means Use Permit modification request
4. Written modification request dated February 12, 2015 submitted by Claude Means, owner of Classic Auto Body
5. Modified Use Permit PL12-00144 dated June 20, 2012
6. Comments received from various agencies regarding the use permit modification request
7. Notice of Exemption signed by the Planning Director, dated March 11, 2015
8. Plot plan (24" x 36")

NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

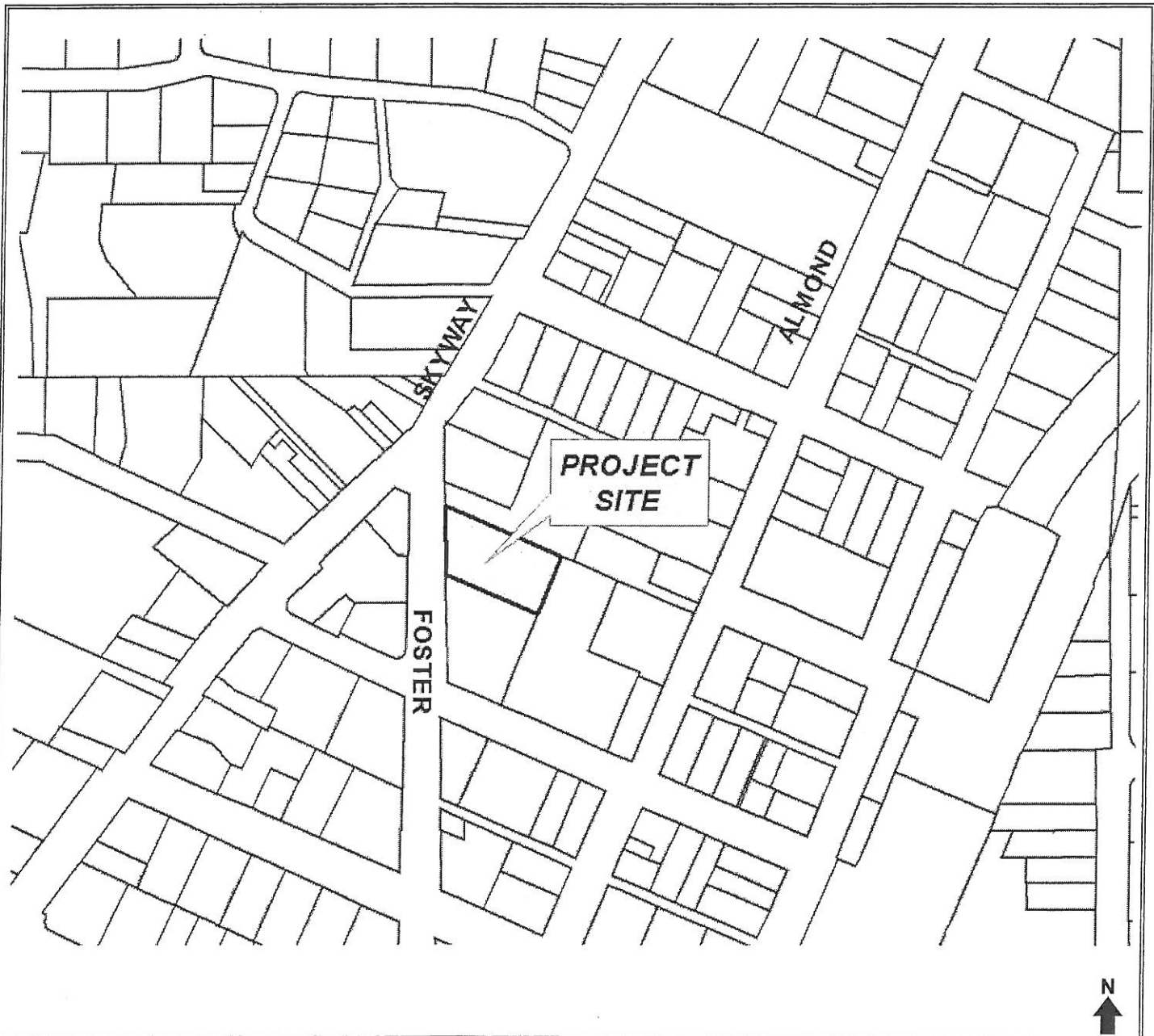
NOTICE IS HEREBY GIVEN by the Paradise Planning Commission that a public hearing will be held on **Tuesday, March 17, 2015 at 6:00 p.m.** in the Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

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

MEANS CONDITIONAL USE PERMIT MODIFICATION (PL15-00052) APPLICATION: Request to modify the terms of a previously-approved conditional use permit to allow the construction of a +/-1,290 square foot addition to an existing 5,790 square foot commercial building containing an automobile body repair business occupancy on property zoned Central Business and located at 6036 Foster Road in Paradise; AP No. 052-201-031.

The project file is available for public inspection at the Development Services Department, Town of 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 x111.

CRAIG BAKER
Planning Director



APPLICANT: Claude Means		6036 FOSTER ROAD
OWNER: Same		
REQUEST: Request to modify the terms of a previously-approved use permit to allow the construction of a +/-1,290 square foot addition to an existing 5,790 square foot commercial building containing an automobile body repair business occupancy.		
Zoning: CB	GENERAL PLAN: CC	FILE NO. PL15-00052
ASSESSOR PARCEL: 052-201-031		MEETING DATE: March 17, 2015

052-191-001-000
DUNCAN LARRY R & SHIRLEY
1706 BILLE RD
PARADISE CA 95969

052-191-002-000
DUNCAN LARRY R & SHIRLEY
1706 BILLE RD
PARADISE CA 95969

052-191-003-000
JONES ROBERT B & NIKKI G
REVOCABLE IV TRUST
1920 LOWRY LANE
PARADISE CA 95969

052-191-004-000
MARCUS STEVEN REVOCABLE
TRUST
6349 SKYWAY
PARADISE CA 95969

052-191-005-000
LUCAS BENJAMIN
319 MAIN ST SUITE 200
CHICO CA 95928

052-191-006-000
PAVIS MICHAEL A JR & CARRIE L
REV TR FBO PAVIS MIC
954 MANGROVE AVE
CHICO CA 95926

052-191-007-000
KAHLON AMARJEET &
PARMINDER REV TRUST
6055 OAK HILL DR
GRANITE BAY CA 95746

052-191-014-000
STEIN FAMILY TRUST ETAL
5896 DEL MAR AVE
PARADISE CA 95969

052-191-021-000
GILLESPIE BRIAN K & HOLLY
6133 SKYWAY
PARADISE CA 95969

052-192-001-000
USA GASOLINE CORPORATION
6591 COLLINS DR STE E11
MOORPARK CA 93021

052-192-006-000
DANILOV MIKE M & CONNIE K TRUST
226 AMERICAN RIVER CANYON DR
FOLSOM CA 95630

052-192-014-000
MILLER FLOYD & NELDA FAMILY TRUST
9810 LOTT RD
DURHAM CA 95938

052-192-015-000
ESTRADA DONALD & BILLE
PO BOX 566
DURHAM CA 95938

052-201-010-000
GAUKEL LIVING TRUST
5378 ORCHARD DR
PARADISE CA 95969

052-201-013-000
HEIN FAMILY TRUST
1800 HEYNEN RD
PARADISE CA 95969

052-201-018-000
BELLER VICTOR CRAIG
P O BOX 1799
PARADISE CA 95967

052-201-029-000
WARREN JEREMY L & PAULA N
2389 NORTH AVE
CHICO CA 95926

052-201-030-000
GAUKEL LIVING TRUST
5378 ORCHARD DR
PARADISE CA 95969

052-201-031-000
MEANS CLAUDE
6036 FOSTER RD
PARADISE CA 95969

052-201-032-000
MEANS CLAUDE
6036 FOSTER RD
PARADISE CA 95969

052-201-033-000
LYONS PAUL C TRUST
5605 ALMOND ST
PARADISE CA 95969

052-201-034-000
MANGRUM ROBERT A
5655 ALMOND ST
PARADISE CA 95969

052-201-036-000
COLGRAVE REVOCABLE IV
BYPASS TRUST
3008 NEAL RD
PARADISE CA 95969

052-201-038-000
ELY MARSHALL & BARBARA
5021 CIRCLE LN
PARADISE CA 95969

052-201-039-000
HANSON GENEVA REVOCABLE
TRUST ESTATE
244 SILVER CREEK CIR
SANTA ROSA CA 95409

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
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Paradise, CA 95969

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

Butte Environmental Council
116 W. 2nd Street #3
Chico, CA 95928

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



AVERY®

Address Labels

Laser

5160®

Baker, Craig

From: Claude Means [Meansmc@sbcglobal.net]
Sent: Thursday, February 12, 2015 2:55 PM
To: Baker, Craig
Cc: CLAUDE MEANS
Subject: Plans
Attachments: IMG_4421.JPG; ATT00001.txt

Classic auto body

6036 Foster Rd.

Paradise. CA, 95969

Owner, CLAUDE MEANS.

I would like to expand my building ,I will keep it the same colors, beige, roof green.The siding will be the same . This will allow me to have more storage for vehicles inside at night . Thank you.

It will be a cleaner more professional look for the shop and town .

Claude Means

TOWN OF PARADISE MODIFIED USE PERMIT

DATE: June 20, 2012

FILE COPY

USE PERMIT NO.: PL12-00144

ASSESSOR'S PARCEL NOS.: 052-201-031

Pursuant to the provisions of the Zoning Ordinance of the Town of Paradise and the conditions set forth below:

Claude Means is hereby granted a modified use permit in accordance with the application filed on May 29, 2012 for town approval to establish an automotive paint and body shop within an existing ±3,296 sq. ft. commercial space.

GENERAL CONDITIONS:

1. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Town of Paradise Municipal Code.

GENERAL CONDITIONS OF USE PERMIT APPROVAL

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit's effective date, the use permit may become subject to revocation by the Town of Paradise.
2. Outside light fixtures associated with the project shall be designed to not exceed a height of eighteen feet above finished grade and shall be shielded to minimize the projection of light onto adjoining and nearby properties.
3. All project exterior building modifications and building colors shall be designed and established in accordance with the requirements of the town's adopted "Downtown Design Guidelines."
4. Minor changes to the interior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, provided that the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal use permit modification review and the payment of the appropriate processing fees.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT

SANITATION

5. Complete the requirements of the Town Onsite Sanitary Official regarding application for and issuance of a construction permit to install traffic rated septic risers for the existing on site septic tank. Provide evidence thereof to the Town Community Development Department (building division).
6. Meet the requirements of the Town Building Official regarding submittal of construction plans, building permit applications, and all applicable Town adopted construction code requirements.
7. Meet the requirements of the Butte County Air Quality Management District (BCAQMD) in accordance with BCAQMD staff comments generated for the project on March 25, 2002 and on file in the Town Community Development Department.

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

SITE DEVELOPMENT

8. Submit landscaping plans and application fee to the Community Development Department (planning division) in accordance with Paradise Municipal Code requirements. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).
9. Secure the issuance of a Town approved administrative permit for any new business sign(s) to be located within fifty feet of the center of Foster Road.

UTILITIES

10. Install an approved backflow prevention device in accordance with the requirements of the Paradise Irrigation District (PID). Meet all other requirements of the PID in accordance with comments submitted to the Town by PID staff, dated April 8, 2002 and on file with the Town Community Development Department.

FIRE PROTECTION

11. Meet all project requirements of the Paradise Fire Department in accordance with the Fire Department development review comments/conditions dated March 27, 2002 and on file with the Town Community Development Department.

CONDITIONS OF LAND USE OPERATION

12. No inoperative or dismantled vehicles or vehicle parts shall be stored on the property such that they are visible from other public or private property. The Town may require additional fencing or screening if on-site fencing is insufficient to adequately screen dismantled or inoperative vehicles stored or kept on site.
13. The operation of pneumatic tools, compressors, motors, engines or hand tools, any of which are associated with the automotive service and capable of generating noise clearly audible across a residential or commercial zoned real property boundary **shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.**

DATE APPROVED BY THE PARADISE PLANNING COMMISSION: June 19, 2012
EXPIRATION DATE: See General Conditions No. 1 above.

NOTE: Issuance of this use permit does not waive requirements of obtaining building and sanitation division permits before starting construction or operation, nor does it waive any other requirements.

PERMIT EFFECTIVE DATE: June 27, 2012



Craig Baker, Planning Director

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: Onsite, Building Safety, Business/Housing, Engineering, PID
FROM: Craig Baker, Community Development Director (872-6291 x111)
REQUEST: Review and Comment
DESCRIPTION OF PROJECT: Request to modify the terms of a previously-approved use permit to allow the construction of a +/-1,290 square foot addition to an existing 5,790 square foot commercial building containing an automobile body repair business occupancy.
LOCATION: 6036 Foster Road
AP NOS.: 052-201-031
APPLICANT: Claude Means
CONTACT PHONE: 877-2202
RETURN DATE REQUESTED: February 24, 2015
DATE DISTRIBUTED: February 17, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 24 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

Comply with current California Building Standards
2.24.15

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

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APPLICANT: Claude Means

CONTACT PHONE: 877-2202

RETURN DATE REQUESTED: February 24, 2015

DATE DISTRIBUTED: February 17, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.


FEB 19 2015

RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:



NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

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LOCATION: 6036 Foster Road

AP NOS.: 052-201-031

APPLICANT: Claude Means

CONTACT PHONE: 877-2202

RETURN DATE REQUESTED: February 24, 2015

DATE DISTRIBUTED: February 17, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 18 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT

YES - Approved - YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

No objections or conditions to this project. Wastewater flow shall not increase by this addition. No sewage disposal system component is impacted by this addition - tanks & field are not impacted.

2/18/15

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

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LOCATION: 6036 Foster Road
AP NOS.: 052-201-031
APPLICANT: Claude Means
CONTACT PHONE: 877-2202
RETURN DATE REQUESTED: February 24, 2015
DATE DISTRIBUTED: February 17, 2015

RECEIVED
FEB 17 2015
TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

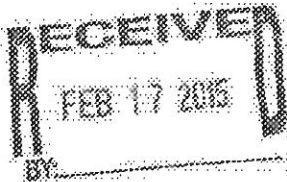
YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

F5
10H



PROJECT NO. PL15-00052
PROJECT NAME: VERIZON SITE PLAN REVIEW PERMIT

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: Onsite, Building Safety, Business/Housing, Engineering, PID
FROM: Craig Baker, Community Development Director (872-6291 x111)
REQUEST: Review and Comment
DESCRIPTION OF PROJECT: Request to modify the terms of a previously-approved use permit to allow the construction of a +/-3,290 square foot addition to an existing 5,790 square foot commercial building containing an automobile body repair business occupancy.

LOCATION: 6036 Foster Road

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

AP NOS.: 052-201-031

FEB 18 2015

RECEIVED

APPLICANT: Claude Means

CONTACT PHONE: 877-2202

RETURN DATE REQUESTED: February 24, 2015

DATE DISTRIBUTED: February 17, 2015

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

No comments or conditions. 2/18/2015 Neil Essila

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

NOTICE OF EXEMPTION

To: File

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

Project Title: Means Use Permit (PL15-00052)

Project Applicant: Claude Means

Project Location: 6036 Foster Road, Paradise, CA 95969

Project Description: 1,816 square foot commercial Building addition

Approving Public Agency: Town of Paradise

**Person or Agency
Carrying Out Project:** Claude Means

Exempt Status:
 Ministerial (Section 15268)
 Emergency Project (Section 15269)
 Categorical Exemption (Section 15303)
 General Rule Exemption (Section 15061)

Reason for Exemption: The project is limited to a small commercial building addition in a developed area

Contact Person: Craig Baker, Planning Director
(530) 872-6291 x111

Signature: 
Town Planning Director

Date: 3/11/15

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: March 17, 2015**

FROM: Susan Hartman, Assistant Planner
SUBJECT: Mushamel Use Permit Application (PL15-00061)
DATE: March 5, 2015
GENERAL INFORMATION:

AGENDA NO. 5 (c)

AP 054-240-023

Applicant: Adnan Mushammel
Ibrahim Mushamel
1205 Park Ave
Chico, CA 95928

Location: 5540 Pentz Rd, Paradise

Requested Action: Approval of a conditional use permit application proposing the establishment of retail liquor sales within an existing commercial building on property located at 5540 Pentz Rd.

Purpose: To provide additional retail services in a neighborhood setting.

Present Zoning: Neighborhood Commercial (NC)

General Plan Designation: Neighborhood Commercial (NC)

Existing Land Use: Vacant commercial space

Surrounding Land Use: North: Medium Density Residential
East: Medium Density Residential
South: Medium Density Residential
West: Pentz Road

Land Area: ±0.49 acre

Environmental Determination: Categorical Exemption – CEQA Guidelines Section 15301 (Class 1)
Other: An appeal of the Planning Commission’s decision can be made within 7 (seven) days of the decision date.

NOTE: THE APPLICANT OR A REPRESENTATIVE SHOULD BE IN ATTENDANCE OR THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION.

SPECIAL INFORMATION:

The project applicants, Adnan Mushammel and Ibrahim Mushamel, currently own the Likker Locker in Chico and are planning to relocate their business to Paradise. Therefore, they are requesting Town of Paradise conditional use permit approval for the establishment of retail liquor sales within an existing 2,400 sq ft commercial suite located at 5540 Pentz Rd in Paradise. The entire commercial building is currently vacant.

The ±0.49 acre project site is improved with an existing commercial building separated into two suites. The project site is situated within the Neighborhood Commercial (NC) zoning district. Primary access to the site is via two public street encroachments; one fronting Pentz Rd and the other on Stearns Rd. Customer parking for the proposed use would be provided on-site within the existing paved and marked parking area.

The proposed business activity in Suite A would include the retail sale of alcohol, for off-site consumption, as well as the incidental sale of groceries. A freestanding monument sign is planned to be placed on the property corner in the future, otherwise no other improvements on the site are proposed in association with the project.

ANALYSIS:

The project has received favorable responses from commenting agencies and, in consideration of the manner in which the site is improved; the project appears to be a reasonable location for the establishment of retail liquor sales if conditioned prudently. The proposed function of the project is in compliance with all applicable zoning regulations and can be found to be consistent with Paradise General Plan policies applicable to neighborhood commercial land uses.

ENVIRONMENTAL REVIEW:

As a project involving occupancy of a vacant commercial space in an area generally characterized by both commercial and residential land uses, the project belongs to a class of projects that can be determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines.

ANALYSIS CONCLUSION:

After reviewing the existing environmental setting and circumstances associated with this application request, it is staff's position that the requested use permit application is reasonable and that the establishment of the proposed project land use will promote economic development for the Town of Paradise. Staff has developed recommended conditions of project approval to insure the orderly development of this portion of the Paradise community. Therefore, staff endorses Planning Commission approval of the Mushamel use permit application, based upon and subject to the following recommended findings and conditions of project approval:

FINDINGS REQUIRED FOR APPROVAL:

1. Find that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State CEQA Guidelines.
2. Find that the project, **as conditioned**, is consistent with the goals and policies of the Paradise General Plan because the project will result in the establishment of a commercial land use in an area zoned for such use.
3. Find that the project, **as conditioned**, is in compliance with all applicable regulations of the Neighborhood Commercial zoning district.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as conditioned, will not detrimentally affect existing plant and animal life in the project vicinity for the following reasons:
 - a. The project is located within an area that has been altered from its natural state by long-established commercial land uses;
 - b. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - c. No known rare or endangered plants are known to exist in the immediate project vicinity.

STAFF RECOMMENDATION:

After closure of the scheduled public hearing, **adopt the findings provided by staff and approve the Mushamel use permit application** (PL15-00061) authorizing the establishment of retail liquor sales upon commercial property located at 5540 Pentz Rd, subject to the following conditions:

GENERAL CONDITIONS OF SITE PLAN REVIEW PERMIT APPROVAL

1. If any land use for which a site plan review permit has been granted and issued is not established within three years of the site plan review permit's effective date, the site plan review permit may become subject to revocation by the Town of Paradise.
2. Outdoor storage of materials associated with the proposed retail land use shall be established and maintained such that the materials are not visible from any off-site public or private property excepting the outdoor display of merchandise in compliance with the Town's Exterior Displays of Merchandise Regulations (PMC Chapter 17.06.940).
3. Secure Town of Paradise design review approval for any new business sign structures prior to the establishment of such signs on the site.

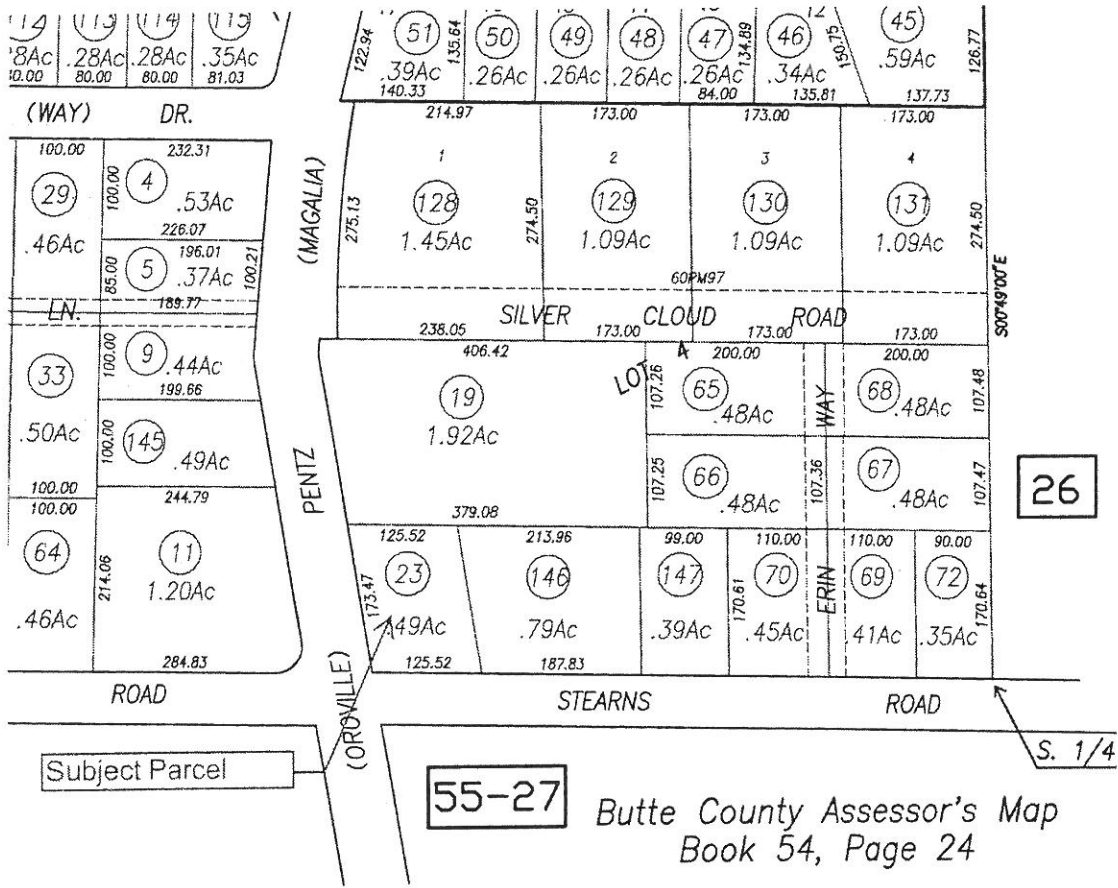
CONDITIONS TO BE MET PRIOR TO ESTABLISHMENT OF BUSINESS OCCUPANCY

FIRE PROTECTION

4. Portable fire extinguishers, minimum 4 lb 2A10BC, are required in accordance with the written comments of the Fire Marshal dated February 25, 2015 and on file with the Development Services Department.
5. Provide exit door signage on or adjacent to that reads "THIS DOOR TO REMAIN UNLOCKED WHILE BUSINESS IS OCCUPIED".
6. Fire Prevention Inspection is required prior to occupancy.
7. Exit aisles shall be a minimum 36" wide and remain clear of obstructions.

LIST OF ATTACHMENTS FOR MUSHAMEL USE PERMIT APPLICATION (PL15-00061)

1. Project site vicinity map.
2. Notice sent to surrounding property owners for the public hearing.
3. Mailing list of property owners notified of the public hearing.
4. Comments received from Building Official/Fire Marshal Tony Lindsey dated February 25, 2015.
5. Comments received from Asst Onsite Official Bob Larson dated February 19, 2015.
6. Comments received from Paradise Irrigation District representative Neil Essila dated February 20, 2015.
7. Comments received from Paradise Police Chief Gabriela Tazzari-Dineen dated February 24, 2015.
8. Comments received from Town Engineer Marc Mattox dated February 19, 2015.
9. Notice of exemption document for the Mushamel project.



Subject Parcel

55-27

Butte County Assessor's Map
Book 54, Page 24

26

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N

APPLICANT: Sam Mushamel		ADDRESS: 5540 Pentz Rd
OWNER: Ajit Grewel		
PROJECT DESCRIPTION: Use Permit application proposing the establishment of retail liquor sales within an existing commercial building on property located within the N-C (Neighborhood Commercial) zoning district.		
Zoning: NC	GENERAL PLAN: NC	FILE NO. PL15-00061
ASSESSOR PARCEL NO. 054-240-023		MEETING DATE: 3/17/2015

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 17, 2015 at 6:00 p.m.** in the Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

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

MUSHAMEL CONDITIONAL USE PERMIT (PL15-00061) APPLICATION: Conditional use permit application proposing the establishment of retail liquor sales, for off-site consumption, in an existing vacant commercial building on property zoned Neighborhood Commercial (NC) and located at 5540 Pentz Rd, AP No. 054-240-023.

The project file is available for public inspection at the Development Services Department, Town of 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 x111.

CRAIG BAKER
Planning Director

054-240-009-000
BROWN ASHLEY ANNE & DARRIN
LAWRENCE
1870 MOSURE LN
PARADISE CA 95969

054-240-011-000
CHATKARA B LAL REVOCABLE
TRUST
PO BOX 2076
PARADISE CA 95967

054-240-019-000
STERLE JOHN F
15 NIAGA WAY
CHICO CA 95928

054-240-023-000
GREWAL AJIT S ETAL
6323 COUNTY RD 18
ORLAND CA 95963

054-240-066-000
MOUW FAMILY TRUST ETAL
26727 AVENIDA LAS PALMAS APT #A
CAPISTRANO BEACH CA 92624

054-240-128-000
BARRON JAIME & LINDA
5576 PENTZ RD
PARADISE CA 95969

054-240-145-000
FEVURLY MICHAEL W & JANICE L
TRUST
5543 PENTZ RD
PARADISE CA 95969

054-240-146-000
HEALY MARGARET ETAL
1640 20TH ST
SAN FRANCISCO CA 94107

054-240-147-000
ANDERSON STEPHEN F
2337 STEARNS RD
PARADISE CA 95969

055-262-047-000
POSTOLKA REV INT VIV TRUST
ETAL
100 VALLEY VIEW DRIVE
PARADISE CA 95969

055-262-048-000
POSTOLKA REVOCABLE I V TRUST
ETAL
100 VALLEY VIEW DRIVE
PARADISE CA 95969

055-270-054-000
PHELPS DAVID L & SHARON E
2336 STEARNS RD
PARADISE CA 95969

055-270-081-000
THOMAS BUDDY & SHAHNA
2306 STEARNS RD
PARADISE CA 95969

055-270-083-000
GERBER ROLLAND D
2322 STEARNS RD
PARADISE CA 95969

Paradise Unified School District
3696 Clark Road
Paradise, CA 95969

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969

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6626 Skyway
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Butte County Planning
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Chico, CA 95928

Butte Environmental Council
16 W. 2nd Street #3
Chico, CA 95928

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

M E M O R A N D U M

TO: Susan Hartman
FROM: Tony Lindsey Building Official/Fire Marshal
SUBJECT: 5540 Pentz, APN 054-240-023
DATE: February 25, 2015

The following are my comments relative to the Use permit application proposing the establishment of a retail liquor sales land use within an existing building space zoned N-C (Neighborhood Commercial).

- Portable fire extinguisher, minimum 4 lb. 2A10BC, is required maximum 75 feet of travel distance shall be mounted so that the top is not more than five (5) feet above the floor with identifiable signage, readily accessible and immediately available for use per CFC 906
- Exit door shall remain unlocked when building is occupied. Exit door shall be provided with signage on or adjacent to "THIS DOOR TO REMAIN UNLOCKED WHILE BUSINESS IS OCCUPIED"
- Exit aisles shall be a min 36" wide and remain clear of obstructions.
- Fire Prevention Inspection is required prior to occupancy. The cost of Inspection is \$56.00 Please call 872-6291 ext. 123 to schedule an appointment.

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

FEB 25 2015

RECEIVED

**TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW REQUEST**

TO: ENGINEERING, ONSITE, CSS, POLICE, PID, &
BUSINESS & HOUSING

FROM: SUSAN HARTMAN, ASST PLANNER (872-6291 x114) *SH*

REQUEST: Review and Comment

DESCRIPTION OF PROJECT: Use Permit application proposing the establishment of retail liquor sales within an existing commercial building on property located within the N-C (Neighborhood Commercial) zoning district.

LOCATION: 5540 Pentz Rd

ASSESSOR PARCEL NO.: 054-240-023

APPLICANT: Sam Mushamel

CONTACT PHONE: 714-393-4392

DATE DISTRIBUTED: February 19, 2015

RETURN DATE REQUESTED: February 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

FEB 19 2015

RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS IF NECESSARY:

No Conditions.

SH 2/19/15

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

H11
3J

PROJECT: PL15-00061
PROJECT NAME: MUSHAMMEL USE PERMIT

**TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW REQUEST**

TO: ENGINEERING, ONSITE, CSS, POLICE, PID, &
BUSINESS & HOUSING

FROM: SUSAN HARTMAN, ASST PLANNER (972-6291 x114) *SH*

REQUEST: Review and Comment

DESCRIPTION OF PROJECT: Use Permit application proposing the establishment of retail liquor sales within an existing commercial building on property located within the N-C (Neighborhood Commercial) zoning district.

LOCATION: 5540 Pentz Rd

ASSESSOR PARCEL NO.: 054-240-023

APPLICANT: Sam Mushamel

CONTACT PHONE: 714-393-4392

DATE DISTRIBUTED: February 19, 2015

RETURN DATE REQUESTED: February 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 23 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS IF NECESSARY:

No comments or conditions. 2/20/15 Neil Essila

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

3:\cdd\planning\shartman\drns\PL15-00061

PROJECT: PL15-00061
PROJECT NAME: MUSHAMMEL USE PERMIT

**TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW REQUEST**

TO: ENGINEERING, ONSITE, CSS, POLICE, PID, &
BUSINESS & HOUSING

FROM: SUSAN HARTMAN, ASST PLANNER (872-6291 x114) *SH*

REQUEST: Review and Comment

DESCRIPTION OF PROJECT: Use Permit application proposing the establishment of retail liquor sales within an existing commercial building on property located within the N-C (Neighborhood Commercial) zoning district.

LOCATION: 5540 Pentz Rd

ASSESSOR PARCEL NO.: 054-240-023

APPLICANT: Sam Mushamel

CONTACT PHONE: 714-393-4392

DATE DISTRIBUTED: February 19, 2015

RETURN DATE REQUESTED: February 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 24 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS IF NECESSARY:

There are no concerns with law enforcement regarding this project

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

j:\cdd\planning\shartman\drss\PL15-00061

**TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW REQUEST**

TO: ENGINEERING, ONSITE, CSS, POLICE, PID, &
BUSINESS & HOUSING

FROM: SUSAN HARTMAN, ASST PLANNER (872-6291 x114) *SH*

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DATE DISTRIBUTED: February 19, 2015

RETURN DATE REQUESTED: February 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

FEB 19 2015

RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS IF NECESSARY:

Sam Mushamel

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS ABILITY TO SERVE THIS PROJECT. PLEASE MAKE A COPY FOR YOUR RECORDS.

NOTICE OF EXEMPTION

To: File: AP No: 054-240-023; [PL15-00061]

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

Project Title: Mushamel Use Permit

Project Applicant: Adnan Mushammel & Ibrahim Mushamel

Project Location: 5540 Pentz Rd

Project Description: Application proposing the establishment of retail liquor sales within an existing commercial building on property zoned NC (Neighborhood Commercial).

Approving Public Agency: Town of Paradise

**Person or Agency
Carrying Out Project:** Adnan Mushammel & Ibrahim Mushamel

Exempt Status: _____ Ministerial (Section 15268)
_____ Emergency Project (Section 15269)
 X Categorical Exemption
Section 15301 Class 1

Reason for Exemption: Use of existing structure with minor interior alterations.

Contact Person: Susan Hartman, Assistant Planner
(530) 872-6291 ext. 114

Signature:



Town Planning Director
3/10/15

Date:

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: March 17, 2015**

FROM: Susan Hartman, Assistant Planner **AGENDA NO.** 5(d)
SUBJECT: Verizon Wireless Site Plan Review Permit Application (PL15-00031)
DATE: March 10, 2015 **APN** 052-090-063

GENERAL INFORMATION:

Applicant: Verizon Wireless (c/o Epic Wireless)
8700 Auburn Folsom Rd, Ste 400
Granite Bay, CA 95746

Engineer: Peek Site-Com
12852 Earhart Ave, Ste 101
Auburn, CA 95602

Location: 6553 Skyway

Requested Action: Site plan review permit approval to authorize the establishment of a ± 100 foot tall mono-pine communications facility and associated ground equipment.

Purpose: To provide improved cellular communications service to Paradise residents.

Present Zoning: Community Commercial (CC)

General Plan Designation: Town Commercial (TC)

Existing Land Use: Convenience storage

Surrounding Land Use: North: Single Family Residential
East: Skyway
South: Elliott Road
West: Single Family Residential

Parcel Size: ± 3.09 Acres

Environmental Determination: Categorical Exemption – CEQA Guidelines Section 15303 (Class 3)

Other: An appeal of the Planning Commission’s decision can be made within seven (7) days of the decision date.

NOTE: THE APPLICANT OR A REPRESENTATIVE SHOULD BE IN ATTENDANCE OF THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION

SPECIAL INFORMATION:

The project applicant, Verizon Wireless, is requesting site plan review permit approval from the town to allow the construction and establishment of a wireless communications facility on a leased portion of a ± 3.09 acre property. The facility would consist of a ± 100 foot tall free standing monopole tower designed to look like a mature pine tree and associated ground equipment to be stored under a shade structure. The monopole tower would be fitted with eight panel antennas located at ± 91 feet above ground level.

The proposed wireless communication facility would be located within a ± 413 sq ft leased and fenced area located along the east end of the most northerly row of mini storage buildings on the project site property. Six storage units, not proposed to be replaced at this time, will be removed to accommodate the ground equipment and shade structure. The proposed six foot chain link fence enclosing the lease area will be fitted with green vinyl privacy slats and surrounded with bollards to protect the area from vehicle traffic. One existing tree, 4" in diameter and exempt from permit requirements, will be removed to accommodate the installation of the monopole tower and will be replaced elsewhere on site as required by the existing landscape plan.

The steel monopole would be painted brown and fitted with artificial branches and foliage to match and blend with existing tall ponderosa pine trees on the project site and in the immediate area. The monopole would be unlit and have capacity for an additional two carriers and their ground equipment.

The project applicant has indicated that the purpose of the project is to increase cellular capacity for wireless communications customers along the Skyway corridor resulting in faster data speeds and fewer dropped calls.

ANALYSIS:

The proposed project will result in the establishment of a ± 100 foot-tall wireless communication facility on property situated within the Community Commercial (CC) zoning district. The CC zone is assigned to areas within the Town that are planned for, or are, providing a full range of locally and regionally oriented commercial land uses.

The cellular communications facility is proposed to be located greater than 100 linear feet from existing single family residences on adjacent parcels. As such, the proposed monopole height is within the maximum height standards listed in PMC Chapter 17.42.050 *Height*.

Pursuant to the provisions contained within PMC Chapter 17.42 (*Wireless Communication Facilities*), a Town-approved site plan review permit is required in order to establish a new 100 foot-tall communication facility. Hence, submittal of the Verizon Wireless site plan review permit application is consistent with zoning regulations assigned to the project site.

As a project involving the construction of small new equipment and facilities, the project belongs to a class of projects that can be determined to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines.

ANALYSIS CONCLUSION

In consideration of the preceding discussion, staff has identified no project-related effects which would result in a **significant adverse effect** upon adjoining or surrounding properties. Potential aesthetic impacts associated with the project may be perceived differently by each affected individual but are not considered to constitute a significant environmental impact. In addition, it appears likely that establishment of the communications facility is in the public interest and will have a beneficial effect upon the community as a whole, since the project will expand the range of service for cellular telephone customers in Paradise and the surrounding area and the design of the facility will be compatible with the existing environmental setting.

If **conditionally approved** by the Planning Commission as recommended, the proposed project would be consistent with the goals, objectives and land use policies of the 1994 Paradise General Plan; and should also be compatible with existing zoning as well as surrounding land uses. Therefore, **town staff recommends conditional project approval**. Staff has developed special conditions of project approval that, if this project is approved, the Planning Commission should adopt as part of the approval action in order to address potential impacts and promote orderly and safe development of the project area.

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines.
- b. Find that the project, **as conditioned** by the Town of Paradise is consistent with the goals, objectives, and land use policies of the 1994 Paradise General Plan;

and is consistent with the zoning provisions of Title 17 of the Paradise Municipal Code.

- c. Find that the project, **as conditioned** by the Town of Paradise shall be compatible with its surrounding land uses; and it will not be detrimental to nor impair the health, safety and welfare of the residents of the town.
- d. Find that **as conditioned**, the project will not detrimentally affect existing plant and animal life in the project vicinity for the following reasons:
 - 1) The project site is located within an area which has been altered by long-established residential and community service-oriented land uses;
 - 2) No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - 3) No known rare or endangered plants exist in the immediate project vicinity.

RECOMMENDATION:

Move to adopt the required findings as provided by staff and approve this Verizon Wireless site plan review permit (PL15-00031) application, thereby authorizing land use approval to establish a ± 100 foot tall, unstaffed cellular communications facility and associated ground equipment on property located at 6553 Skyway, subject to the following conditions:

GENERAL CONDITIONS OF SITE PLAN REVIEW PERMIT APPROVAL

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

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT

UTILITIES

2. Meet all utility company requirements concerning the relocation, extension and installation of new or expanded utility services facilities, the establishment of utility easements, etc.
3. Any construction within the Paradise Irrigation District (PID) pipeline easement that, in PID's judgment, adversely affects their underground facilities must be mitigated to the satisfaction of PID.
4. Notify Underground Service Alert (U.S.A.) at least two working days prior to any excavation activities on the project site.

SITE DEVELOPMENT

5. Construction plans for the proposed communications tower shall include a "monopine" design as illustrated in photo simulations submitted to the Town on January 26, 2015 and shall be designed to accommodate tower space for the following:
 - a. The potential for the future establishment of communication facilities to serve the Town of Paradise Public Works Department, Paradise Fire Department and Paradise Police Department based on an agreement with the Town of Paradise. Such agreement shall be mutually agreed upon by the parties and shall be executed prior to approval of the construction plans.
6. Meet requirements of the Town Building Official regarding building permits and all applicable town-adopted construction code requirements.
7. Secure the issuance of a Town demolition permit from the building division for the removal of the six mini storage units.

CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION

SITE DEVELOPMENT

8. Any above-ground lighting fixtures proposed to be established in association with the project shall be shielded to prevent the projection of light onto adjoining properties and shall not exceed a height of twelve (12) feet above finished grade.
9. All fencing surrounding the proposed ground level communications facilities shall be solid fencing, or chain link with privacy slats, and a maximum of six (6) feet tall above grade.
10. Construct and install all proposed facilities in substantial conformance with project materials submitted to the Town of Paradise on January 26, 2015.
11. The proposed project facilities shall include the installation of facilities and structures that consist of non-glare material. Additionally, the project proponent shall design and establish the facilities in compliance with the Town's design review approval granted for the project.

FIRE PROTECTION

12. Meet the applicable requirements of the Paradise Fire Department in accordance with the Town Fire Marshal's plan check review dated February 6, 2015, on file with the Town Development Services Department.

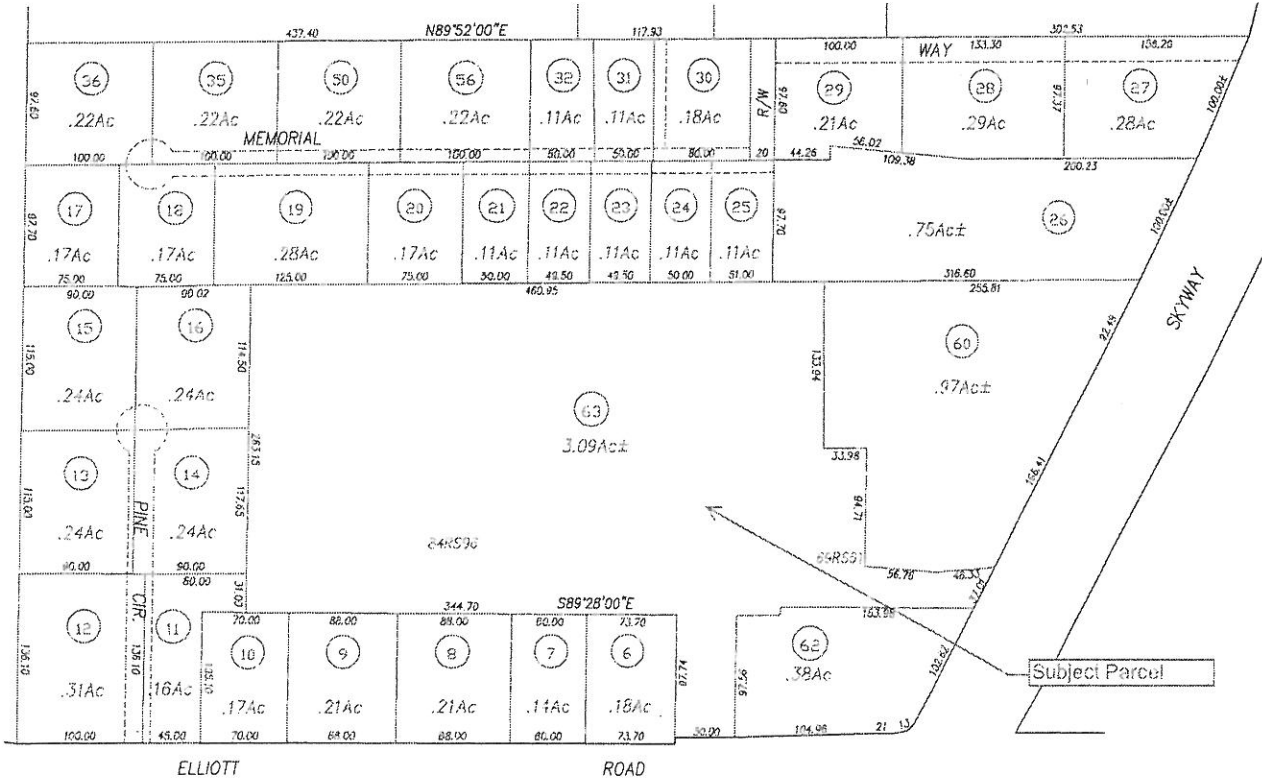
CONDITIONS OF LAND USE

13. No lighting fixtures shall be permanently affixed to the proposed cellular communications tower for the term of its use.
14. Any fans, blowers, generators or air conditioning equipment associated with the facility shall be located and equipped with noise attenuating devices such that nearby residences and other nearby land uses are not subjected to noise disturbances exceeding community noise standards.

15. Comply with all applicable safety standards of the American National Standards Institute (ANSI), National Council on Radiation Protection and Measurements (NCRP) and Institute of Electrical and Electronics Engineers (IEEE).
16. All unused or obsolete towers, dishes, antennas or equipment shall be removed from the site within six months after their operation has ceased.

LIST OF ATTACHMENTS FOR VERIZON WIRELESS SITE PLAN REVIEW PERMIT APPLICATION (PL15-00031)

1. Project site vicinity map.
2. Project Support Statement submitted by Verizon Wireless.
3. Photo simulations submitted by Verizon Wireless, showing images of the proposed communications tower and perspectives from potential ground observers in the project vicinity.
4. Propagation maps showing proposed increase in cellular capacity submitted by Verizon Wireless.
5. Comments received from Building Official/Fire Marshal Tony Lindsey dated February 6, 2015.
6. Comments received from Asst. Onsite Official Bob Larson dated February 3, 2015.
7. Comments received from Paradise Irrigation District representative Neil Essila dated February 2, 2015.
8. Comments received from Paradise Police Dept Chief of Police Gabriela Tazzari-Dineen dated January 30, 2015.
9. Comments received from Town Engineer Marc Mattox dated February 6, 2015.
10. List of property owners provided with a Notice of Public Hearing for the Verizon Wireless project.
11. Notice of exemption document for the Verizon Wireless project.



12



APPLICANT: Epic Wireless		ADDRESS: 6553 Skyway
OWNER: Dan Kennedy		
PROJECT DESCRIPTION:		
Site plan review permit approval to authorize the establishment of a 100 foot-tall mono-pine wireless communications facility and associated ground equipment upon a 3.09 acre property currently developed to accommodate convenience storage.		
Zoning: CC	GENERAL PLAN: TC	FILE NO. PL15-00031
ASSESSOR PARCEL NO. 052-090-063		MEETING DATE: 03/17/2015

PROJECT SUPPORT STATEMENT

DEVELOPMENT APPLICATION FOR VERIZON SITE "ELLIOT SKY"

APN 052-090-063

6553 Skyway Road, PARADISE, CA 95969

INTRODUCTION

Verizon Wireless is seeking to improve communications service in the Butte County region near Elliot Road and Skyway Road in the Town of Paradise. Verizon would like to increase coverage and capacity in the area by locating a new telecommunications facility in order to increase and improve coverage and capacity for both current and potential customers. Additionally, this network development will increase public safety within these areas and bring wireless service to areas that currently have poor capacity service.

This tower will help alleviate an area of poor coverage within this service area, which causes reoccurring lost calls, ineffective service, and slow data speeds. To remedy these problems, Verizon proposes to develop a wireless facility at 6553 Skyway Road. The proposed location of the tower is set within a Self Storage facility with several pine trees and will be designed to comply with The Town of Paradise wireless design guidelines. The proposed Verizon communications facility will be located within an approx 18' x 22' fenced compound including: (1) proposed 6'x13' pad for a 30kw emergency standby generator and a 100' monopine that will accommodate (4) sectors with (2) antennas per sector and (8) remote radio units (RRU's) mounted to the antennas. The tower will also accommodate multiple future carrier's antenna centerlines.

This unmanned facility will provide service to area travelers, residents and businesses 24 hours a day, 7 days a week. This site will also serve as a back up to the existing landline service in the area and will provide improved mobile communications, essential to modern day commerce and recreation.

SAFETY BENEFITS OF IMPROVED WIRELESS SERVICE

Mobile phone use has become an extremely important system for public safety. Along roads and highways without public call boxes, mobile phones are often the only means for emergency roadside communication. Motorists with disabled vehicles (or worse) can use their phone to call in and request appropriate assistance. With good cellular coverage along important roadways, emergency response is just a phone call away. Furthermore, as a back up system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

Verizon has taken the responsibility for back-up service very seriously. As such, Verizon has incurred increased expense to install a standby diesel generator at this facility to insure quality communication for the surrounding community regardless of any disaster or catastrophe.

CONVENIENCE BENEFITS OF IMPROVED WIRELESS SERVICE

Modern day life has become increasingly dependent on instant communications. Whether it is a parent calling their child, spouse calling a spouse, or general contractor ordering materials to the jobsite, wireless phone service is no longer just a convenience. It has become a way of life and a way of business.

COMPLIANCE WITH CITY DEVELOPMENT STANDARDS

This project has been carefully designed to comply with applicable standards. The location of the facility is currently surrounded by natural vegetation consisting of many pine trees. Verizon Wireless is proposing a monopine to match the existing pine trees.

COMPLIANCE WITH FCC STANDARDS

This project will not interfere with any TV, radio, telephone, satellite, or any other signals. Any interference would be against the Federal Law and would be a violation Verizon Wireless' FCC License. In addition, this project will conform to all FCC standards.

TECHNOLOGY AND CONSUMER SERVICES THE CARRIER WILL PROVIDE ITS CUSTOMERS

Verizon offers its customers multiple services such as, voice calls, text messaging, mobile email, picture/video messaging, mobile web, navigation, broadband access. Wireless service enhances public safety and emergency communications in the community. In rural areas such as the subject location, cellular phone service can cover much larger geographic areas than traditional landline phone service.

FUTURE COLLOCATION OPPORTUNITIES

The proposed site has been designed to allow for future co-location opportunities with other carriers. The land lease provides sufficient space for additional service providers and the tower and its foundation are designed for future equipment. This tower will eliminate the need for multiple towers within the same general vicinity as it has been designed to accommodate up to (2) carriers and their associated ground equipment.

LIGHTING

Unless tower lighting is required by the FAA the only lighting on the facility will be a shielded motion sensor light by the door on the equipment shelter for servicing the equipment.

NOISE

The standby generator will be operated for approximately 15 minutes per week for maintenance purposes, and during power outages and disasters. The generator creates 63 dBA of sound at a distance of 23 feet. 63 dBA is comparable to the level of sound generated by a normal conversation from 3 feet away.

HAZARDOUS MATERIAL

A Hazardous Material Business Plan will also be submitted upon project completion, and stored on site after construction

ENVIRONMENTAL SETTING

Verizon Wireless is proposing a monopine to match the existing pine trees and better blend with the natural environment.

MAINTENANCE AND STANDBY GENERATOR TESTING

Verizon installs a standby diesel generator and batteries at many of its cell sites. The generator and batteries serve a vital role in Verizon emergency and disaster preparedness plan. In the event of a power outage, Verizon communications equipment will first transition over to the back-up batteries. The batteries can run the site for a few hours depending upon the demand placed upon the equipment. Should the power outage extend beyond the capacity of the batteries, the back-up generator will automatically start and continue to run the site. This two state back-up plan is an extremely important component of Verizon communications sites. Back-up batteries and generators allow Verizon communications sites to continue providing valuable communications services in the event of a power outage, natural disaster or other emergency.

A standby generator will be installed at the site to ensure quality and consistent coverage in the event of a power outage or disaster. This generator will be run for approximately 15 minutes every other week for maintenance purposes, and during power outages and disasters.

A technician will visit the site approximately twice a month to check the facility and perform any necessary maintenance.

CONSTRUCTION SCHEDULE

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two months. The crew size will range from two to ten individuals.

Existing

Photosimulation of the view looking southwest from across Skyway Road.



Proposed
100 ft monopine

Proposed



Elliott Sky
 6553 Skyway Road
 Paradise CA 95969



verizonwireless



Existing

Photomontage of the view looking west from the Valero station across the Skyway at Elliott.

Elliott Sky
 6553 Skyway Road
 Paradise CA 95969
verizonwireless

Proposed 100 ft monopole



Proposed



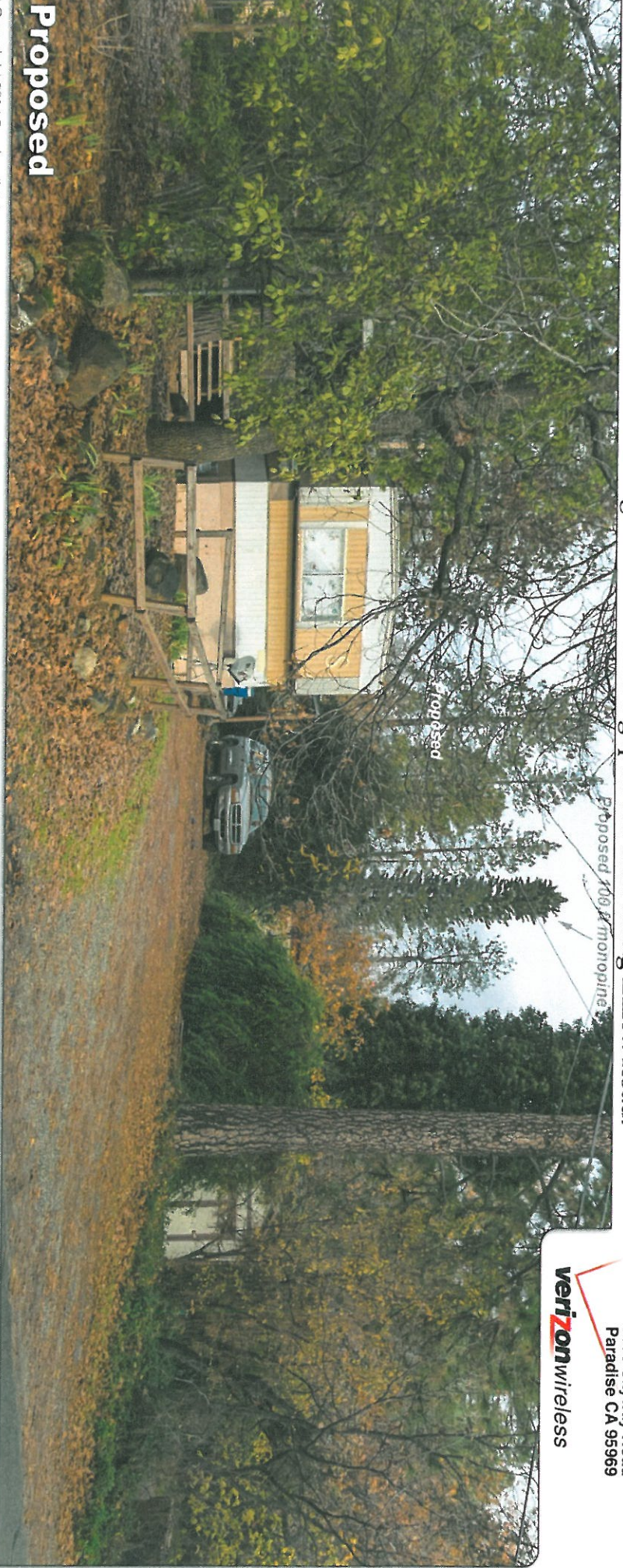
Existing

Photosimulation of the view looking northeast from a gap in the trees along Elliott Road.

Elliott Sky
 6553 Skyway Road
 Paradise CA 95969

Proposed 700 ft monopole

Proposed



Proposed

Session: Paradise_LTE_ROFL
 User: dplcard
 Mon Feb 16 16:51:52 2015
 State Park, California I
 Center Lon: 39-46-32.98 N
 Center Lon: 121-37-42.23 W

Cell:
 LMR Cell Name



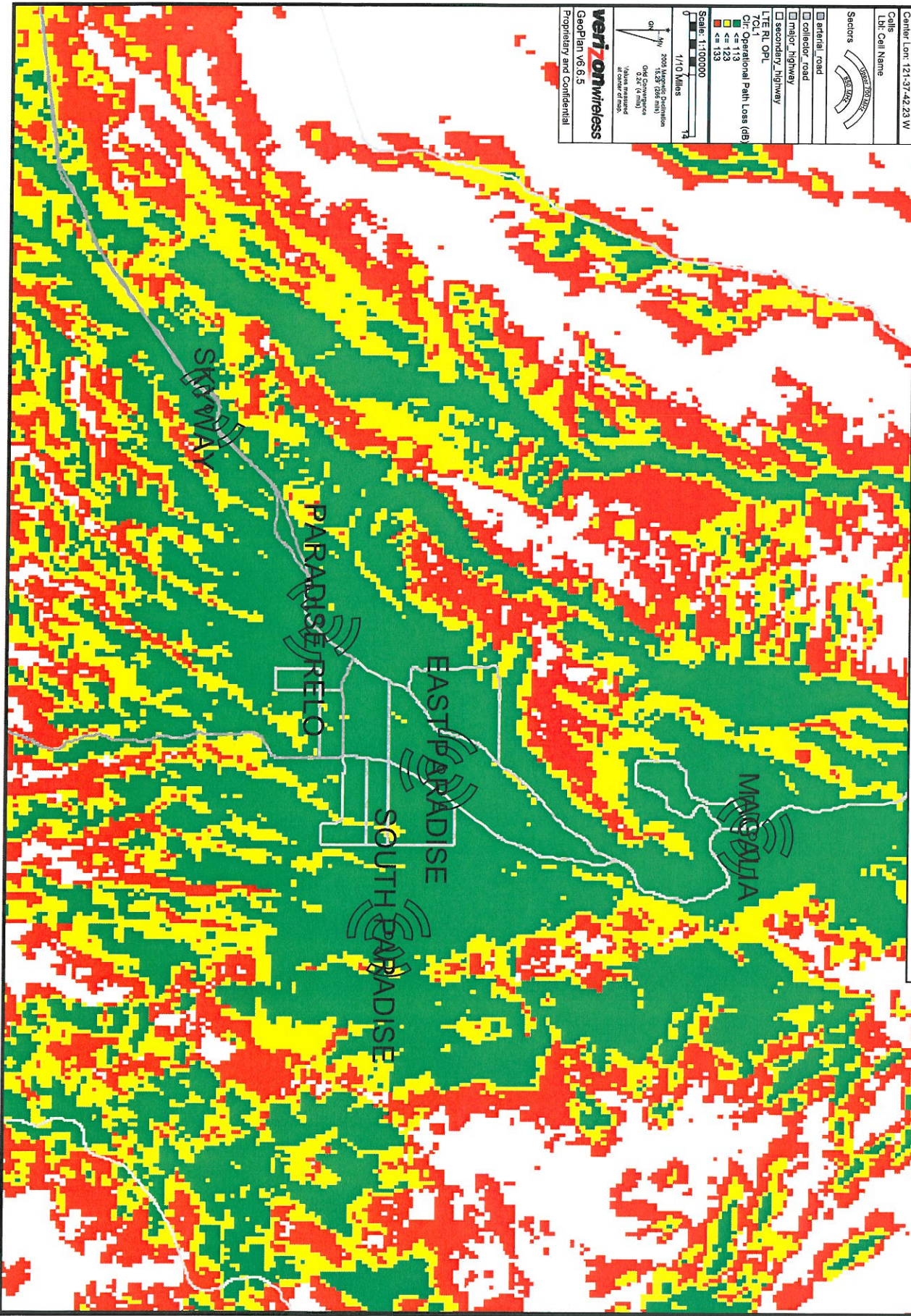
- arterial_road
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- secondary_highway

LTE RL OPL
 70, 1
 Cir. Operational Path Loss (dB)



Verizon Wireless
 GeoPlan v6.6.5
 Proprietary and Confidential

Verizon 4G coverage in Paradise February 2015



MEMORANDUM

TO: Susan Hartman, Assistant Planner
FROM: Tony Lindsey Building Official/Fire Marshal
SUBJECT: 6553 Skyway, 052-090-063
DATE: February 6, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 12 2015
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Following are my comments relative to the site plan review permit approval to authorize the establishment of a 100 foot-tall mono-pine wireless communications facility.

1. Building permit application. Three (3) complete, min. 11" X 17", scaled, 2013 California Building Standards compliant plan sets shall be submitted for plan review including: Building plans with Architect or Engineer wet signed and stamped, Two (2) sets of wet signed and stamped Structural engineering calculations.
2. Building and Demolition permits are required to demo and rebuild the portion of existing storage units to make way for the new cell tower lease area.
3. The Town of Paradise is located in seismic category D, 85 wind speed, weathering moderate, frost depth line 12". Notable the Town of Paradise is located in a Very-High Fire Hazard Severity Zone, structures shall meet all the requirements of 2013 California Building Code Chapter 7A.
4. The minimum design snow load and roof live load for the Town of Paradise shall be thirty (20) pounds per square foot at 1,800 feet and elevations . 6553 Skyway is located at approximately 1,754 (Google Earth).
5. All fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions. A soils report of the access roadway may be submitted which provides evidence of a 90-95% compaction of the soil along the access roadway. Access roadways that do not meet this requirement could be subject to a stop construction order until the roadway can be maintained.
6. The proposed site access is only 15 feet wide. Commercial and industrial fire access roads shall provide an access roadway with a minimum unobstructed width of 20 feet wide and a minimum 13'6" vertical clearance.
7. Fire lane designations shall be required for all fire access roadways as determined by the Town of Paradise Fire Department. Posted signs which

- state "FIRE LANE, NO PARKING" shall be installed and/or curbs painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by the Town of Paradise Fire Department. All fire lanes shall be marked and identified prior to Certificate of Occupancy.
8. Roadway design features (speed humps, bumps, speed control dips, etc.) which may interfere with emergency apparatus responses shall not be installed or allowed to remain on the emergency access roadways.
 9. Any gate or barrier across a fire access roadway, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation. Gates serving storage structures must be automatic. Knox brand key-operated electric key switch to the Town of Paradise Fire Department and Police Department specification is required. The Knox switch shall override all gate functions and open the gate.
 10. All flammable vegetation shall be removed and maintained from each building site with slopes less than fifteen percent (15%) at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.
 11. The area inside the fence enclosure shall be maintained free of debris and vegetation.
 12. Knox emergency access key box is required at each building site with specific mounting locations approved by the Town of Paradise Fire Department. Premise keys for all buildings 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.
 13. The "Town of Paradise" shall be granted "free" space on the tower and inside the fenced area for its emergency responder communication needs.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: Onsite, Police, Fire, Building Safety, Business/Housing, Engineering, PID, PG&E

FROM: Susan Hartman, Assistant Planner (872-6291 x114) *SH*

REQUEST: Review and Comment

DESCRIPTION OF PROJECT: Site plan review permit approval to authorize the establishment of a 100 foot-tall mono-pine wireless communications facility and associated ground equipment upon a 3.09 acre property currently developed to accommodate convenience storage.

LOCATION: 6553 Skyway

AP NOS.: 052-090-063

APPLICANT: Verizon Wireless (c/o Epic Wireless)

CONTACT PHONE: 530-368-2357 (Andrew Lesa)

RETURN DATE REQUESTED: **February 6, 2015**

DATE DISTRIBUTED: January 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 03 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

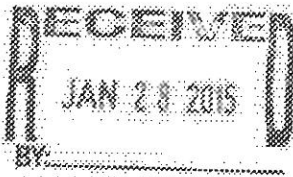
YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

No Conditions
BL 2/3/15

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.



PROJECT NO. PL15-00031
PROJECT NAME: VERIZON SITE PLAN REVIEW PERMIT

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: Onsite, Police, Fire, Building Safety, Business/Housing, Engineering, PID, PG&E

FROM: Susan Hartman, Assistant Planner (872-6291 x114) *SH*

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AP NOS.: 052-090-063

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

APPLICANT: Verizon Wireless (c/o Epic Wireless)

FEB 02 2015

CONTACT PHONE: 530-368-2357 (Andrew Lesa)

RECEIVED

RETURN DATE REQUESTED: **February 6, 2015**

DATE DISTRIBUTED: January 26, 2015

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

PID has a pipeline easement in the area adjoining the proposed facility. The project materials show the facility encroaching into the PID easement. The extent of the antenna tower foundation is not shown in the project drawings. It is possible that the proposed structure may encroach on the water main to an unacceptable degree. PID requests that the applicant be required to mitigate the effects on PID's underground facilities if construction within the easement area will, in PID's judgment, adversely affect PID's facilities. Neil Essila, February 2, 2015

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: Onsite, Police, Fire, Building Safety, Business/Housing, Engineering, PID, PG&E

FROM: Susan Hartman, Assistant Planner (872-6291 x114) *SH*

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CONTACT PHONE: 530-368-2357 (Andrew Lesa)

RETURN DATE REQUESTED: **February 6, 2015**

DATE DISTRIBUTED: January 26, 2015

RECEIVED
JAN 30 2015
TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

NO COMMENTS

Gabriela F Tazzari-Dineen
Chief of Police

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

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TO: Onsite, Police, Fire, Building Safety, Business/Housing, Engineering, PID, PG&E

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DATE DISTRIBUTED: January 26, 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
FEB 06 2015
RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

YES YES, WITH CONDITIONS NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

None *ok*

NO RESPONSE FROM YOUR AGENCY MAY BE CONSTRUED THAT YOUR AGENCY HAS THE ABILITY TO SERVE THIS PROJECT.

PLEASE MAKE A COPY FOR YOUR RECORDS.

3-17-15 Verizon

apn	owner_1	street_address	city_state_zip	situs_street_address
052-080-094-000	COUNTY OF BUTTE	00000		6626 SKYWAY
052-090-006-000	HERITAGE LAND CO	P O BOX 386	PARADISE CA 95967	685 ELLIOTT RD
052-090-007-000	WOOD TATE & TRACI	6337 TABERNACLE LN	PARADISE CA 95969	679 ELLIOTT RD
052-090-008-000	ELIZALDI HELEN E	671 ELLIOTT RD	PARADISE CA 95969	671 ELLIOTT RD
052-090-009-000	HASKINS PAULETTE K	5359 HARRISON RD	PARADISE CA 95969	667 ELLIOTT RD
052-090-010-000	TYRRELL RICHARD W	7112 SE STERLING LN	HILLSBORO OR 97123	661 ELLIOTT RD
052-090-011-000	RUSSELL MARK & EILEEN B COADY	657 ELLIOTT RD	PARADISE CA 95969	657 ELLIOTT RD
052-090-012-000	BURKE STEVE	5871 PINE CIR	PARADISE CA 95969	5871 PINE CIR
052-090-013-000	LUKENS AMY E	5885 PINE CIR	PARADISE CA 95969	5885 PINE CIR
052-090-014-000	VICARS CHRIS	5888 PINE CR	PARADISE CA 95969	5888 PINE CIR
052-090-015-000	ARNOLDY LIVING TRUST	14063 LIMOUSIN DR	CHICO CA 95926	5889 PINE CIR
052-090-016-000	PARROTT BRENT & ALEXIS LIVING TRUST	5635 LITTLE GRAND CANYON	PARADISE CA 95969	5890 PINE CIR
052-090-017-000	BARKER TRAVIS L & AMY M	PO BOX 1065	PARADISE CA 95967	664 MEMORIAL WAY
052-090-018-000	BARKER TRAVIS L & AMY M	PO BOX 1065	PARADISE CA 95967	668 MEMORIAL WAY
052-090-019-000	COX RONALD L & CLAIRE A	672 MEMORIAL WAY	PARADISE CA 95969	672 MEMORIAL WAY
052-090-020-000	HARMON PAUL H & LORENE	674 MEMORIAL WAY	PARADISE CA 95969	674 MEMORIAL WAY
052-090-021-000	COSTA JAMES JOSEPH JR & JULIE KARLAIN	722 NE 302ND AVE	WASHOUGAL WA 98616	676 MEMORIAL WAY
052-090-022-000	HEALD SHERRY LEE	678 MEMORIAL WAY	PARADISE CA 95969	678 MEMORIAL WAY
052-090-023-000	RAMSEY BARBARA A	P O BOX 88	PARADISE CA 95967	680 MEMORIAL WAY
052-090-024-000	MONNEY PAUL KYLE & MARY ROSE	5908 DEBBIE LN	PARADISE CA 95969	682 MEMORIAL WAY
052-090-025-000	GLOEDEN FAMILY TRUST	P O BOX 1747	PARADISE CA 95969	684 MEMORIAL WAY
052-090-026-000	KANDORA JAN & URSULA	8169 VIA MALLORCA	LA JOLLA CA 92037	6587 SKYWAY
052-090-027-000	GEREVICH STEVE & KATHLEEN	6607 SKYWAY	PARADISE CA 95969	6607 SKYWAY
052-090-028-000	SMITH WILLIAM CHARLES & SHERYL ZOELIN	5521 PINE HAVEN	PARADISE CA 95969	692 MEMORIAL WAY
052-090-029-000	MANWILL GARALD R & SHAUNA L	P O BOX 1733	PARADISE CA 95967	688 MEMORIAL WAY
052-090-030-000	DAVIS ROBERT & MARLENE F	681 MEMORIAL WAY	PARADISE CA 95969	681 MEMORIAL WAY
052-090-031-000	YEAGER FAMILY TRUST	679 MEMORIAL WY	PARADISE CA 95969	679 MEMORIAL WAY
052-090-032-000	LOTTI SUZANNE	677 MEMORIAL WAY	PARADISE CA 95969	677 MEMORIAL WAY
052-090-035-000	STRUVE WILLIAM M JR & CHERYL	5946 HAYES LN	PARADISE CA 95969	671 MEMORIAL WAY
052-090-036-000	SHERMAN JAY	194 VALLEY RIDGE DR	PARADISE CA 95969	665 MEMORIAL WAY
052-090-037-000	STRUVE WILLIAM M & CHERYL	5946 HAYES LN	PARADISE CA 95969	5933 HAYES LN
052-090-042-000	GREEN JEAN LOUISE ETAL	545 W 12TH AVE	CHICO CA 95926	685 MEMORIAL WAY
052-090-050-000	STAUSS ANDREW & COLLEEN	PO BOX 830	PARADISE CA 95967	673 MEMORIAL WAY
052-090-054-000	WALLEVAND GARY E	681 MICHAEL LN	PARADISE CA 95969	681 MICHAEL LN
052-090-056-000	STAUSS ANDY & COLLEEN	PO BOX 830	PARADISE CA 95967	675 MEMORIAL WAY
052-090-060-000	KENNEDY DANIEL R	800 CYNTHIA LN	PARADISE CA 95969	6545 SKYWAY

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052-090-062-000	KENNEDY DANIEL R	800 CYNTHIA LN	PARADISE CA 95969	Incomplete Data
052-090-063-000	KENNEDY DANIEL R	800 CYNTHIA LN	PARADISE CA 95969	Incomplete Data
052-090-064-000	TRILIGHT PROPERTIES LLC	1563 SOLANO AVE #347	BERKELEY CA 94707	6625 SKYWAY
052-121-002-000	ALLAGREE ANDREW B ETAL	666 ELLIOTT RD	PARADISE CA 95969	666 ELLIOTT RD
052-121-003-000	HUNT HOWARD S IRREVOCABLE RESIDENC	839 INYO ST	CHICO CA 95928	676 ELLIOTT RD
052-121-004-000	SERL BLAKE WILLIAM	684 ELLIOTT RD	PARADISE CA 95969	684 ELLIOTT RD
052-121-015-000	BENNETT LOREN G REVOCABLE I V TRUST	5831 WILDWOOD WAY	PARADISE CA 95969	Incomplete Data
052-121-040-000	COOPER ROBERT G & NINA NORTH	434 MCFALL CT	SUISUN CITY CA 94581	658 ELLIOTT RD
052-121-041-000	CHAVEZ ROMAN F	656 ELLIOTT RD	PARADISE CA 95969	656 ELLIOTT RD
052-121-044-000	HUANG ZHONG JUN & LI LANG QIU	5500 SCHMALE LN	PARADISE CA 95969	6433 SKYWAY
052-121-045-000	SINCLAIR RONALD D & KATHY A JT	4364 CLEAR CREEK CEM RD	OROVILLE CA 95965	6475 SKYWAY
052-121-046-000	BRADY LEE ANN INTER VIVOS TRUST	2379 JOSEPHS CT	PARADISE CA 95969	6457 SKYWAY
052-122-002-000	GAGNE ARI	3058 PALM ST	SAN DIEGO CA 92104	724 ELLIOTT RD
052-122-019-000	STEELE REVOCABLE INTER VIVOS TRUST	3366 HAMLIN CANYON CT	MAGALIA CA 95954	6460 SKYWAY
052-122-020-000	STEELE REVOCABLE INTER VIVOS TRUST	3366 HAMLIN CANYON CT	PARADISE CA 95969	Incomplete Data
052-122-027-000	VALERO MARKETING & SUPPLY COMPANY	P O BOX 690110	SAN ANTONIO TX 78266	6490 SKYWAY
052-300-013-000	BURNS JOHNNIE B & MARCY M	6322 DELTA CT	MAGALIA CA 95954	5914 PINE VIEW DR
052-300-014-000	BAKER DEBRA A ETAL	5908 PINE VIEW DR	PARADISE CA 95969	5908 PINE VIEW DR
052-300-015-000	KOEHLER REVOCABLE INTER VIVOS TRUST	5902 PINE VIEW DR	PARADISE CA 95969	5902 PINE VIEW DR
052-300-016-000	DWELLE DOUGLAS A	PO BOX 4193	PARADISE CA 95967	5896 PINE VIEW DR
052-300-017-000	STEINDORF FAMILY TRUST	10707 BANNER MINE WAY	NEVADA CITY CA 95955	5888 PINE VIEW DR
052-300-018-000	TWEEEDIE WILLIAM	5882 PINE VIEW DR	PARADISE CA 95969	5882 PINE VIEW DR
052-300-019-000	BAKER FAMILY PROPERTIES LLC	282 BURDEN TER	PARADISE CA 95969	5880 PINE VIEW DR

NOTICE OF EXEMPTION

To: File: AP No: 052-090-063; [PL15-00031]
From: Town of Paradise, Development Services Department,
Planning Division, 5555 Skyway, Paradise, CA 95969

Project Title: Verizon Conditional Use Permit
Project Applicant: Epic Wireless
Project Location: 6553 Skyway
Project Description: Site plan review permit approval to authorize the establishment of a 100 foot-tall wireless communications facility and associated ground equipment upon a ±3.09 acre property zoned Community Commercial (CC).

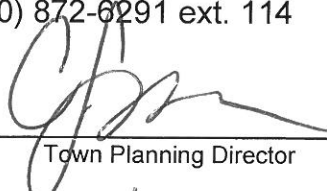
Approving Public Agency: Town of Paradise

Person or Agency Carrying Out Project: Verizon Wireless

Exempt Status: _____ Ministerial (Section 15268)
_____ Emergency Project (Section 15269)
 X Categorical Exemption
Section 15303 Class 3

Reason for Exemption: Small new facility and equipment.

Contact Person: Susan Hartman, Assistant Planner
(530) 872-6291 ext. 114

Signature: 

Town Planning Director

Date: 3/10/15