



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:

Ray Groom, Chair
Anita Towslee, Vice Chair
James Clarkson, Commissioner
Stephanie Neumann, Commissioner
Martin Nichols, Commissioner

PLANNING COMMISSION SPECIAL MEETING AGENDA

6:00 PM – April 05, 2017

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 ext. 111 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item, including closed session. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Council Meeting. All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, 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. OTHER BUSINESS

- 1a. Ware Tentative Map Extension (PL17-00023) Request for a time extension for the conditional approval of the Ware Tentative Map (PM-07-12) at 1029 Wagstaff Rd, AP No. 051-120-053, for an additional six years beyond February 6, 2017, thereby creating a new tentative parcel map expiration date of February 5, 2023. (ROLL CALL VOTE)

2. ADJOURNMENT

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

M E M O R A N D U M

TO: Paradise Planning Commission Agenda No. 1 (a)

FROM: Susan Hartman, Assistant Planner

SUBJECT: Application for Approval of an Extension of Time Assigned to the Conditionally Approved Ware Parcel Map (PL17-00023); APN 051-120-053

DATE: April 4, 2017

BACKGROUND:

On **February 4, 2008**, the Planning Director conducted a public hearing and conditionally approved the above-noted tentative parcel map application authorizing the division of a ±1.6 acre property located at 1029 Wagstaff Road into three separate parcels subject to 17 conditions of approval.

Town records indicate that the Town’s conditional approval of this tentative parcel map and its authorization to be completed as a recorded final parcel map would have expired on **February 5, 2011**. However, in consideration of the poor economy, the California State Legislature automatically extended the life of all unexpired land division approvals in the state several times. As a result of these legislative actions, the expiration date for the Ware Tentative Parcel Map was extended to **February 5, 2017**. In anticipation of this circumstance, the project applicant, Mrs. Sharin Ware, submitted a formal request on February 6, 2017 (the next business day following Sunday, February 5, 2017) for the Planning Commission to grant an additional six year period, expiring on **February 5, 2023** in order to accommodate fulfillment of the map conditions and recordation of the map as proposed. Pursuant to PMC Section 16.08.085 that action automatically extended the parcel map for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.

The statutory provisions of PMC Chapter 16.08 (Subdivisions of Four or Fewer Parcels) empowers the Planning Commission to legally exercise discretion on behalf of the Town of Paradise to either approve or deny applications for a time extension for any tentative parcel map. PMC section 16.08.085 stipulates that the Planning Commission may extend an approved tentative parcel map up to an additional six years.

DISCUSSION:

The design of the original tentative parcel map application proposed to create three parcels; one that is 0.61 gross acres in size with an existing house, a vacant parcel that is 0.50 acres, and a third parcel that is 0.50 gross acres also with an existing house, all compliant with the existing Town Residential ½ acre minimum zoning. The project was deemed to belong to a class of infill projects which have been determined not to have a significant effect upon the environment and therefore

categorically exempt from environmental review, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332.

Mrs. Ware has indicated to staff that due to her health issues and the passing of her husband, who started this map, it has been difficult for her to fulfill all of the parcel map conditions within the February 5, 2017 deadline. A review of the project file documentation reveals that the owner has completed 11 of the 17 conditions, incurring personal expenses of approximately \$10,000.00 for surveying costs as well as being the recipient of donated labor and materials through local septic contractors and Alliance Kingdom Builders (a ministry of the CMA Church) to relocate the septic system for Parcel 1. In addition, a covenant for the deferral of frontage improvements and a fuel reduction plan have been signed and notarized to be recorded with the map. Though conditions are currently unfulfilled (dedication of right-of-way, new driveway encroachment, submittal for a change of address, payment of PRPD fees, statement of taxes, and submittal of mylars), the applicant is working with Dave Gaylord Enterprises (encroachment) and L & L Surveying to continue the completion of the map conditions.

The statutory authority for the Planning Commission to approve an extension application is contained within Paradise Municipal Code (PMC) Section 16.08.085, which states that the commission must find evidence that a “good faith effort” has been made in satisfying the conditions of the approved tentative parcel map.

The circumstances outlined above compel staff to be supportive of Mrs. Ware’s request for a six year extension and therefore staff recommends that the Planning Commission grant the a six year extension of time for assignment to this tentative parcel map in order to provide the applicant ample opportunity to successfully complete the remaining conditions of project approval and record a final map.

COMMISSION ACTION REQUESTED:

Adopt a **MOTION TO:**

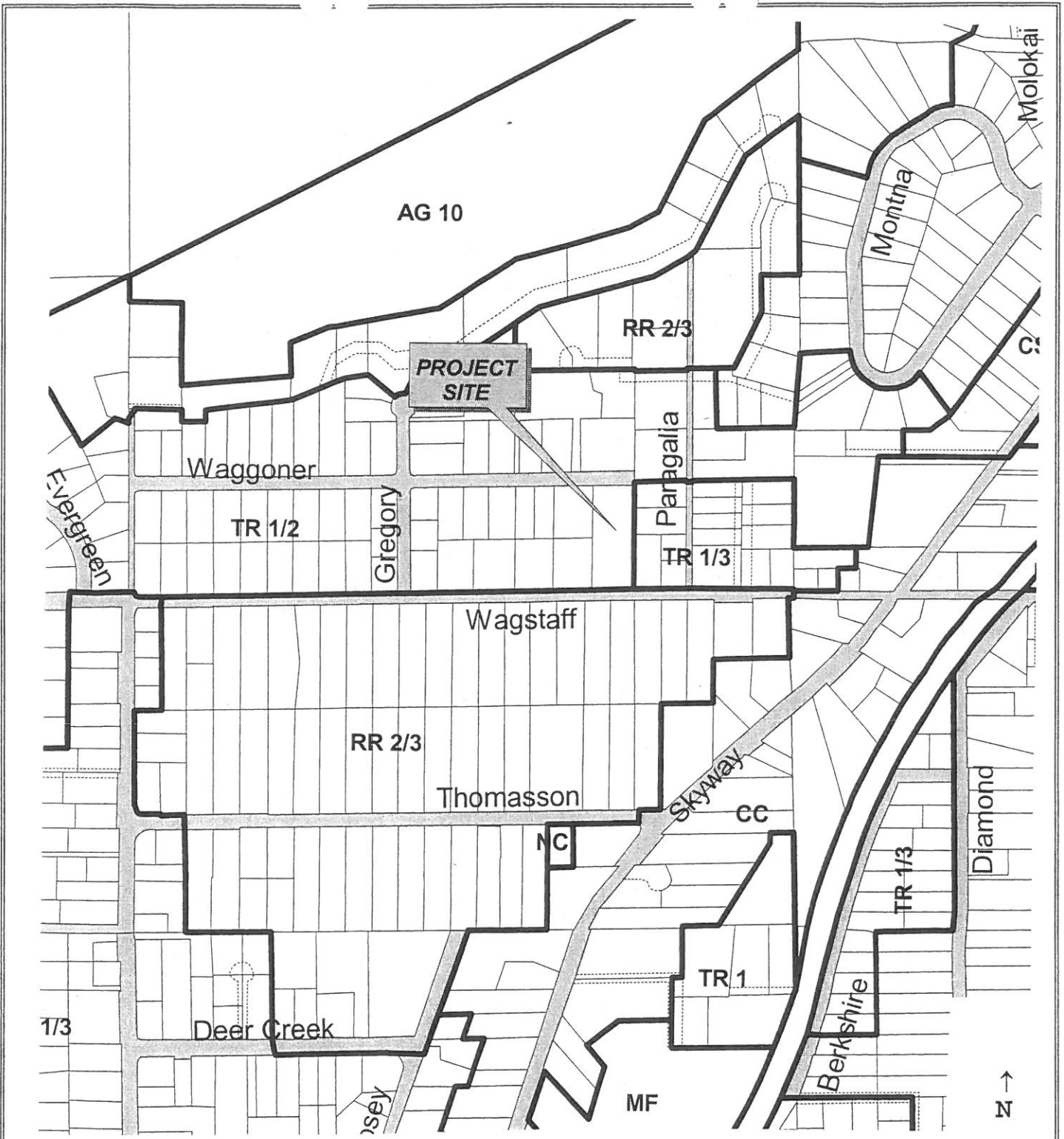
1. Approve, on behalf of the Town of Paradise, the granting of a six year time extension for assignment to the conditionally approved Ware Tentative Parcel Map (PM-07-12), thereby creating a new tentative parcel map expiration date of **February 5, 2023**.

APPEAL PROCESS: In accordance with the provisions of PMC Section 16.08.070(B), in the event that the Planning Commission denies the time extension application the project applicant can appeal such decision to the Town Council.

If a written appeal to the Town Council is not filed with the Town Clerk within ten calendar days of any denial decision, then the Planning Commission decision on behalf of the Town of Paradise becomes legally effective.

LIST OF ATTACHMENTS
FOR
WARE TENTATIVE PARCEL MAP TIME EXTENSION REQUEST

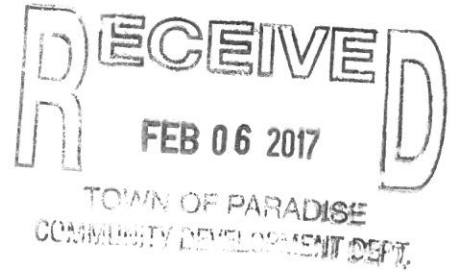
1. Project vicinity map.
2. Time extension request letter from Sharin Ware, dated February 6, 2017.
3. Revised time extension request letter and attachments from Sharin Ware, dated April 3, 2017, detailing expenses incurred pursuing development of the project.
4. Ware Tentative Parcel Map conditions of approval.
5. Ware Tentative Parcel Map.



APPLICANT: Bill Ware		ADDRESS: 1029 Wagstaff Rd
OWNER: Bill Ware		
PROJECT DESCRIPTION: Parcel map application proposing to divide an existing +/-1.6 acre property into three (3) parcels of record.		
Zoning: TR 1/2	GENERAL PLAN: TR	FILE NO. PM-07-12
ASSESSOR PARCEL NO. 051-120-053		MEETING DATE: 4/5/17

Sharin Ware

1029 Wagstaff Rd
Paradise, Ca. 95969
(530) 877-6775



To whom it may concern:

I am drafting this letter with hope of an extension for the splitting of my property located at 1029 Wagstaff Rd. At this time we have completed relocation of the septic including the leach field. In the past few years we have not progressed with the project due to the passing of my husband, which has created great hurdles to overcome. My current health is also declining and have been placed on oxygen. I have recently sold another property in the past year to fund completion of the project. I am asking for the maximum six year extension but hope not to need it.

This summer we will complete the encroachments necessary, and will begin completing the other details necessary. We will be working with Gaylord Paving and I&I survey to complete the rest of the detail needed. My son will also be assisting in helping me complete what is needed. Thank you for your consideration

Sharin Ware

Sharin Ware

1029 Wagstaff Rd
Paradise, Ca. 95969
(530) 877-6775

APR 03 2017



TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

To whom it may concern:

I am drafting this letter with hope of an extension for the splitting of my property located at 1029 Wagstaff Rd. In the past few years we have not progressed with the project due to the passing of my husband, which has created great hurdles to overcome. My current health is also declining and have been placed on oxygen. I have recently sold another property in the past year to fund completion of the project. I am asking for the maximum six year extension but hope not to need it.

This summer we will complete the necessary encroachment. I have attached a copy of the estimate which we have already approved. Dave Gaylord Enterprises and I&I survey will be assisting in the completion. We will be filing the permit as soon as it is filled out by Dave Gaylord.

The septic and the leach lines were moved by R.E. construction. The time and most of the materials were donated by R.E. Construction and AKB of the Paradise alliance church. We contacted R.E. Construction and a document stating the completed work and approximate cost was delivered to the Town of Paradise. The septic permit and inspection was filed with the Town of Paradise. When the septic inspection was done there was an abandoned tank that was needed to be filled. That tank was slurried by McGregor construction and then inspected.

List of expenses and work completed.

Surveying perk testing: L&L surveying \$10,000.00

Septic work: Donated by AKB of the paradise alliance church.

Work left to be completed:



Driveway encroachment: \$1600.00 and permit fee.

It is in our honest opinion that allowing us to complete the parcel split is in the best interest of the Town and the neighboring properties. What is now just an overgrown lot will turn into newer homes adding value to the property in the area.

Sharin Ware

TOWN OF PARADISE
ONSITE WASTEWATER MANAGEMENT ZONE
5555 SKYWAY PARADISE CA
Telephone: (530) 872-6291
Fax: (530) 877-5059
06/16/2009

PERMIT TO CONSTRUCT

PERMIT NO: OS09-01942 PARCEL NO.: 051-120-053-000 EXPIRATION DATE:

PERMIT FEE: \$202.72

ONSITE SYSTEM INSTALLATION ADDRESS: 1029 WAGSTAFF

APPLICANT NAME: *RE Construction* REPAIR - TANK & FIELD
WARE WILLIAM B & SHARIN

PHONE NO.:

APPLICANT ADDRESS: 1029 WAGSTAFF RD, PARADISE, CA 95969

ENGINEERED SYSTEM DESIGNER:

PERMIT TO CONSTRUCT	
WARE	• Maximum Number of Bedrooms: THREE (3)
1029 WAGSTAFF	• Effluent Flow: 300
PARADISE, CA 95969	• Commercial Use:

SEPTIC TANK-DOSING TANK

Type: STANDARD

SEPTIC

Pump: NOT INSTALLED

ABSORPTION TRENCHES

Type: STANDARD

Total Length: 150 Feet

Gravel Below Pipe: 18 Inches

Total Gravel Depth: 24 Inches

Tank Capacity: 1500 Gallons

Permit Conditions:

The construction of the onsite wastewater treatment disposal system shall comply with all applicable requirements of Chapter 13.04 of the Paradise Municipal Code and the Town Manual for Onsite Treatment of Wastewater.

Existing Septic Tank Abandonment:	YES
Escrow Clearance Notification:	NO
Septic Tank Evaluation:	REQUIREMENT OF LAND DIVISION
Hold on Building Permit:	NO

Approved by: *Bob Larsen*

Date: *6/17/09*

INSPECTION REQUEST PHONE NUMBER MONDAY-THURSDAY 872-6285

REQUEST FOR INSPECTION SHALL BE MADE 24 HOURS IN ADVANCE

THIS PERMIT IS NOT TRANSFERABLE

Standard System <input type="checkbox"/>	Alternative System <input type="checkbox"/>	Minor Alternative <input type="checkbox"/>
New Construction <input type="checkbox"/>	Upgrade <input checked="" type="checkbox"/>	Repair <input type="checkbox"/>

APPROVED

Septic Tank: Vol= 1500 Gal. NVPC Material= <input checked="" type="checkbox"/> P / F	Date:
New <input checked="" type="checkbox"/> Existing <input type="checkbox"/> Tank Lid <input type="checkbox"/> Tank Top <input type="checkbox"/> Used (e) tank hole <input type="checkbox"/>	Initl:
Abandonment <input checked="" type="checkbox"/> - Dirt <input type="checkbox"/> Pea Gravel <input type="checkbox"/> Slurry <input checked="" type="checkbox"/> Removed <input type="checkbox"/>	8/20/2013
Sanitary Tee - Inlet <input type="checkbox"/> Outlet <input type="checkbox"/> Effluent Filter <input type="checkbox"/>	Date:
Access Risers: Fiberglass <input type="checkbox"/> Concrete <input type="checkbox"/> Wood <input type="checkbox"/>	Initl:
Distribution Box - Concrete <input type="checkbox"/> Plastic <input checked="" type="checkbox"/>	Date:
Serial Distribution <input type="checkbox"/> Equal Distribution <input type="checkbox"/>	Initl:
Number of Lines: 2 Piezometers <input type="checkbox"/> Clean Out <input checked="" type="checkbox"/>	Date:
Gray Water Connection <input type="checkbox"/> Building Sewer Connection <input checked="" type="checkbox"/>	Initl:
Absorp Field: 150 Ft. Rock Depth 18 in. (24" Total)	Date:
Gravity <input type="checkbox"/> Pressure Dosed <input type="checkbox"/> Pump to Gravity <input type="checkbox"/>	Initl:
Building Sewer: Ft. Effluent Sewer: Ft.	Date:
Filter: L x W x D	Date:
Bottomless <input type="checkbox"/> Recirculating <input type="checkbox"/> ISF <input type="checkbox"/> AX20 <input type="checkbox"/> AX100 <input type="checkbox"/>	Initl:
Dosing Tank: Vol= Distributing Valve <input type="checkbox"/>	Date:
Recirc Tank: Vol= RSV <input type="checkbox"/> Air Coil <input type="checkbox"/>	Initl:
Pumps: Single <input type="checkbox"/> Duplex <input type="checkbox"/> Biotube Pump Vault <input type="checkbox"/> Backflow <input type="checkbox"/>	Date:
Orenco <input type="checkbox"/> Zoeller <input type="checkbox"/> Other <input type="checkbox"/> Screen Vault <input type="checkbox"/> Electrical <input type="checkbox"/>	Initl:

Comments: LINES INSTALLED + OK TO COVER - TANK
 INSTALLED BUT NO CONNECTIONS MADE. W.T.T LOOKS
 GOOD. ^{ED GLEASON} ~~DAVE ANDERSON~~ MADE THE CONNECTIONS. OWNER
 WAS GOING TO ABANDON OLD TANK. - OK - RICK MCGREGOR

APN: 051-120-053-000 Permit #: OS09-01942

Name: WARE
 Address: 1029 WAGSTAFF

Contractor: O/B

Inspection Time: 5/25/10 8:30am ^{Tues} Field

Request Inspections by 4:00pm on previous workday.
 Office Hours: Monday through Thursday 8:00am - 5:00pm (530) 872-6291
 24 Hour ONSITE Inspection Request Line (530) 872-6285

Job Final: Bob [Signature] Date: 8/20/2013

**DAVE GAYLORD
ENTERPRISES**

PO BOX 2221
PARADISE, CA 95967
GENERAL ENGINEERING LIC.# 796391

Estimate

Date	Estimate #
3/28/2017	576

Name / Address
BRADY WARE 1029 WAGSTAFF RD PARADISE CA 95969

APR 03 2017
TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

Project

Item	Description	Qty	Cost	Total
Encroachment	SHAPE AND CONSTRUCT RESIDENTIAL ENCROACHMENT AT ABOVE ADDRESS TO T.O.P. STANDARDS. 14' @34' TO PROPERTY LINE. <i>Town Permit Fee to Be EXTRA.</i>	1	1,600.00	1,600.00

Thanks, Dave	Total	\$1,600.00
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Phone #
530 877 4674



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

Telephone: (530) 872-6291

February 5, 2008

Bill Ware
1029 Wagstaff Road
Paradise, CA 95969

Subject: Tentative Parcel Map (PM-07-12) Application
APN 051-120-053

Dear Mr. Ware:

The Planning Commission conducted a public hearing on Monday, February 4, 2008, concerning the above noted subject application. After receiving public testimony and closing the hearing the Planning Commission approved the findings submitted by staff, allowing for the application (PM-07-12) proposing to divide the existing +/-1.6 acre property at 1029 Wagstaff Road into three parcels of record, and conditionally approved your tentative parcel map application subject to the conditions listed below.

CONDITIONS TO BE MET PRIOR TO RECORDATION OF FINAL PARCEL MAP

ROADS AND ACCESS

1. Construct or defer by covenants executed with the Town of Paradise a one-half street section upgrade improvement along the project site frontage of Wagstaff Road to the town-adopted B-2 road standard and a one-half street section upgrade improvement along the project site frontage of Waggoner Street to the town-adopted B-1 road standard.
2. Deed thirty feet from the centerlines of Wagstaff Road and Waggoner Street to the Town of Paradise or provide a recorded deed document verifying that this requirement has been fulfilled.
3. Secure the issuance of an encroachment permit and construct a new driveway encroachment and a driveway entirely upon Parcel No. 3 to the town-adopted A-1 road

FIRE PROTECTION

11. Place specific notes upon the final parcel map information data sheet in accordance with the requirements of the Paradise Fire Department as outlined within the Paradise Fire Department project review memorandum dated December 11, 2007 for the Ware parcel map application and on file in the Town Community Development Department.
12. Meet all other requirements of the Paradise Fire Department in accordance with the Fire Department plan check review for the Ware Parcel Map parcel map dated December 11, 2007 and on file in the Town of Paradise Community Development Department.

OTHERS

13. Submit and secure approval for a singular address change application for the assignment of a Waggoner Street address for the existing dwelling situated upon Parcel No. 1 and for the assignment of a Wagstaff Road address for the existing dwelling situated upon Parcel No. 3.
14. Provide written documentation verifying payment of current property taxes and payment of any assessment liens imposed by the Town.
15. Provide monummentation as required by the Town Engineer in accordance with accepted town standards.
16. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon area-wide recreation facilities. Provide evidence of payment to the Town Community Development Department planning division.
17. Place the following notes on the final parcel map information sheet:
 - a. "At the time of building permit issuance, owner will be required to pay any Town of Paradise adopted development impact fees."
 - b. "If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery."

- standard. If driveway access for Parcel No. 3 exceeds 150 feet (driving distance) from Wagstaff Road, construct a town-approved turnaround to accommodate fire and emergency vehicle access in a manner deemed satisfactory to the Town Engineer.
4. Place the following note upon the final parcel map information sheet: "Prior to the issuance of a building permit authorizing construction of a residence upon Parcel No. 2 that is proposed to be served by a private driveway exceeding 150 feet in length, the project developer shall obtain an encroachment permit and construct a private driveway to the town-adopted A-1 road standard with an approved turnaround to accommodate fire and emergency vehicle access in a manner deemed satisfactory to the Town Engineer."
 5. Trim and remove vegetation along the project site frontage of Wagstaff Road to improve traffic sight distances in a manner deemed satisfactory to the Town Engineer."

SITE DEVELOPMENT

6. All easements of record shall be shown on the final parcel map.
7. Indicate a fifty-foot building setback line measured from the centerlines of Waggoner Street and Wagstaff Road.

SEWAGE DISPOSAL

8. Satisfy all requirements of the Town of Paradise Onsite Sanitary Official concerning the design of the final parcel map.

UTILITIES

9. Meet the requirements of the Paradise Irrigation District (PID) in accordance with the comments provided by PID staff for the Ware parcel map project, dated December 17, 2007 and on file with the town Community Development Department.
10. Meet all other requirements of utility companies regarding the establishment of necessary public utility easements.

Bill Ware

-4

February 5, 2008

The decision of the Planning Commission can be appealed within ten days for the tentative parcel map, both by filing a written appeal together with a \$154.00 appeal deposit fee with the Town Clerk. **If no appeal is filed within the time period, your parcel map will be deemed approved for a period of three years with an expiration date of February 5, 2011.**

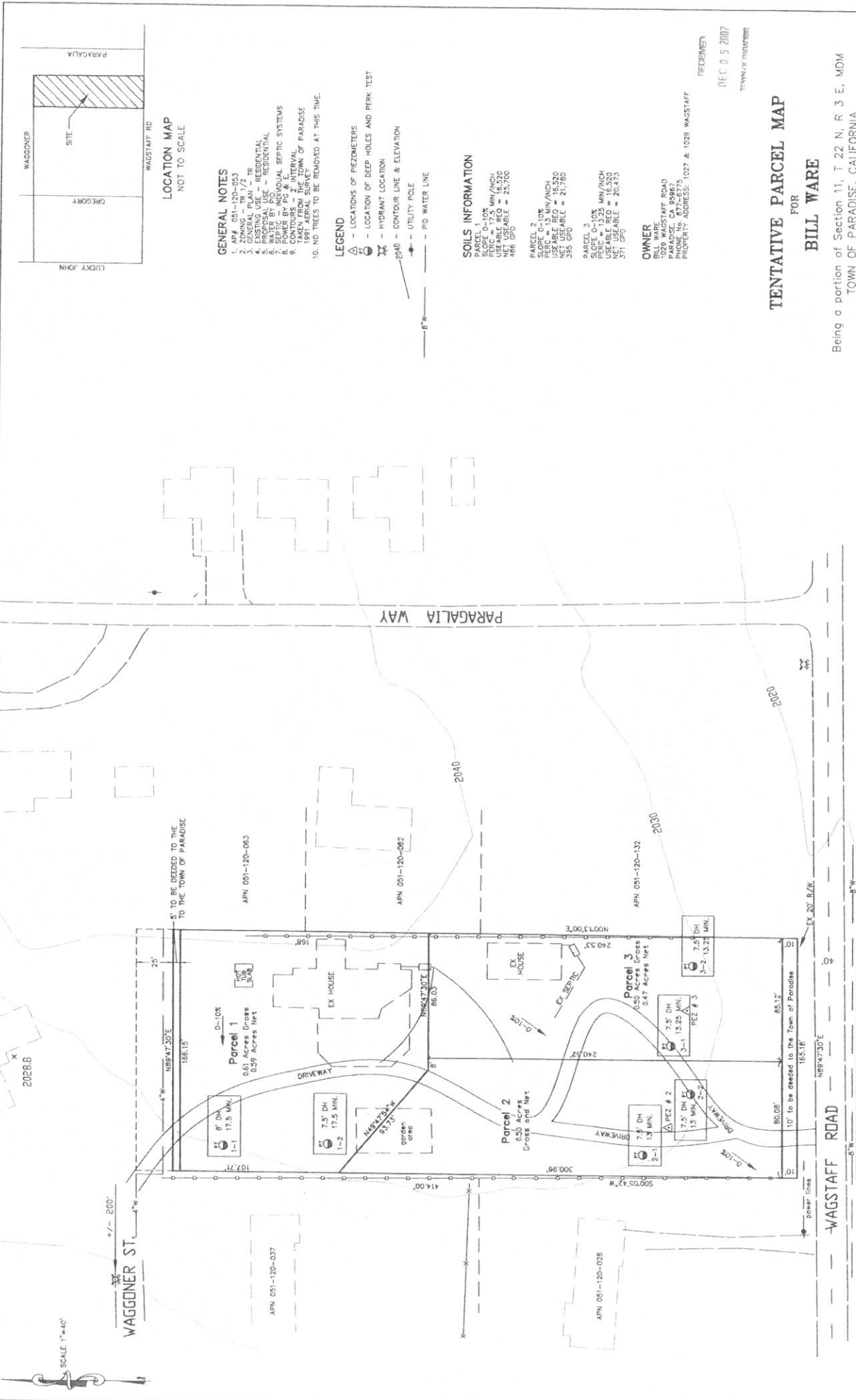
If you should have any questions, please contact me at this office.

Sincerely,



Craig Baker
Asst. Community Development Director

cc: L & L Surveying
Joanna Gutierrez, Town Clerk
Paradise Fire Department
Paradise Irrigation District
Kari Eurotas, CDD/PW Project Coordinator



GENERAL NOTES

1. APN 051-120-053
2. ZONING - TR 1/2
3. EXISTING USE - RESIDENTIAL
4. PROPOSAL USE - RESIDENTIAL
5. SEPTIC SYSTEM - INDIVIDUAL SEPTIC SYSTEMS
6. POWER BY PG & E
7. ALL UTILITIES SHOWN WERE TAKEN FROM THE TOWN OF PARADISE 1991 AERIAL SURVEY
10. NO TREES TO BE REMOVED AT THIS TIME.

LEGEND

- △ - LOCATIONS OF PIEZOMETERS
- - LOCATION OF DEEP HOLES AND PERK TEST
- ⊗ - HYDRANT LOCATION
- 2040 - CONTOUR LINE & ELEVATION
- 8"W --- UTILITY POLE
- PD WATER LINE

SOILS INFORMATION

PARCEL 1
 SLOPE = 0-10% MIN/INCH
 USEABLE REO = 16,520
 486 (PS)
 486 (PS)

PARCEL 2
 SLOPE = 0-10% MIN/INCH
 USEABLE REO = 16,520
 395 (PS)
 395 (PS)

PARCEL 3
 SLOPE = 0-10% MIN/INCH
 USEABLE REO = 16,520
 351 (PS)
 351 (PS)

OWNER
 BILL WARE
 1029 WAGSTAFF ROAD
 PARADISE, CA 95675
 PHONE NO. 973-8775
 PROPERTY ADDRESS: 1027 & 1029 WAGSTAFF

DEC 0 5 2007
 TOWN OF PARADISE

TENTATIVE PARCEL MAP
 FOR
BILL WARE

Being a portion of Section 11, T 22 N, R 3 E, MDM
 TOWN OF PARADISE, CALIFORNIA

05-10-117



L & L SURVEYING

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

NOVEMBER 2007