



# TOWN OF PARADISE

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## PLANNING DIRECTOR AGENDA

December 31, 2012; 2:00 PM

### CALL TO ORDER

#### 1. APPROVAL OF MINUTES

- a. September 25, 2012

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

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Planning Director Meeting.

#### \*\*\*\*\* PUBLIC HEARING PROCEDURE\*\*\*\*\*

- |                                   |                            |
|-----------------------------------|----------------------------|
| A. Staff Comments                 | C. Close hearing to public |
| B. Open the hearing to the public | D. Project Decision        |

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

#### 4. PUBLIC HEARING

a. Item proposed to be exempt from environmental review:

**JENKS** Site Plan Review Permit (PL12-00332): Approval of a site plan review permit application proposing to establish an outdoor automotive sales business occupancy on a +0.72 acre property improved with a vacant commercial building and single family residence at 8710 Skyway, AP No. 050-150-002.

#### 5. ADJOURNMENT

**PARADISE PLANNING DIRECTOR**  
**September 25, 2012 – 2:00 p.m.**  
**Town Council Chambers, Room 8**  
**5555 Skyway, Paradise, CA**

**M I N U T E S**

**CALL TO ORDER**

Planning Director Craig Baker called the meeting to order at 2:00 p.m.

**1. APPROVAL OF MINUTES –**

The meeting minutes of February 7, 2012 were approved by the Planning Director.

**2. PUBLIC COMMUNICATION – None.**

**3. CONTINUED PUBLIC HEARING – None.**

**4. PUBLIC HEARING**

**a. Items previously determined exempt from environmental review:**

**4a. ROSS USE PERMIT (PL12-00249)** Approval of a Use Permit application proposing to establish a construction sales and service land use (fencing contractor) on a  $\pm 0.58$  acre property improved with a vacant commercial building and single family residence at 1041 Green Tree Court, AP No. 051-153-016.

Planning Director Baker introduced Assistant Planner Hartman who explained that this was a Use Permit application for the establishment of construction sales and service land use, specifically fencing materials, on a  $\pm 0.58$  acre property zoned Community Commercial (CC) with an existing commercial warehouse, a two (2) bedroom single family dwelling and that the proposed business would include the storage, sale and rental of fencing materials with hours of operation being weekdays, 7:00 a.m. to 4:00 p.m. Ms. Hartman also explained that due to the nature of business, the occupancy belongs to a class of projects that can be determined to be categorically exempt from California Environmental Quality Act (CEQA), pursuant to Section 15303 of the State CEQA Guidelines. Ms. Hartman stated that the project has received favorable responses from commenting agencies, that there are a list of findings and conditions of approval and that staff recommends approval of the application.

Planning Director Baker opened the Public Hearing at 2:03 p.m.

Mr. Baker stated that there were conditions of approval provided by staff and asked if Mr. Ross concurred with the conditions.

Ms. Hartman stated that conditions 8 through 12 needed to be completed before the business can be opened.

John Ross, property owner, stated that he concurs with the conditions.

Planning Director Baker closed the Public hearing at 2:06 p.m.

Planning Director Baker adopted the findings provided by staff and approved the Ross use permit application (PL12-00249) authorizing the establishment of a construction sales and services business upon commercial property located at 1041 Green Tree Court, subject to the following conditions:

### **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. All activities on the site shall be conducted in a manner that is in compliance with the Town's Noise Ordinance Regulations (PMC Chapter 9.18).
3. Outdoor storage of materials and/or equipment shall be established and maintained such that the materials and or equipment is not visible from any off-site public or private property.
4. Secure Town of Paradise design review approval for any new business signs prior to the establishment of such signs on the site.
5. No inoperative vehicles shall be stored where visible from off of the site.
6. Outside light fixtures associated with the project shall be designed to not exceed a height of sixteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties.
7. Maintain the property in a manner consistent with the Design Standards of the Upper Skyway Commercial Corridor.

### **CONDITIONS TO BE MET PRIOR TO ESTABLISHMENT OF BUSINESS OCCUPANCY**

#### **BUILDING**

8. Meet all requirements of the Town of Paradise Building Official relative to building door signage as outlined in the written comments dated September 6, 2012 and on file with the Development Services Department.

#### **FIRE PROTECTION**

9. Schedule and complete a Fire Prevention Inspection (\$56.00) from the Fire Marshal prior to commencing business operations. Call (530) 872-6291 ext. 123 to schedule an inspection.

10. Storage of construction materials shall be in compliance with the Fire Marshal written comments dated September 6, 2012 and on file with the Development Services Department.
11. Portable fire extinguishers are required in accordance with the Fire Marshal comments dated September 6, 2012.

**OTHERS**

12. Provide material evidence to the Planning Division of a valid State of California, Board of Equalization Seller's Permit number for the subject property.

Mr. Baker announced that the decision of the Planning Director can be appealed to the Planning Commission within 7 days of the decision date.

Ms. Hartman stated that the formal, signed Use Permit will be mailed after 7 days.

**5. OTHER BUSINESS – None.**

**6. ADJOURNMENT**

The Planning Director adjourned the meeting at 2:08 p.m.

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Planning Director

**ATTEST:**

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Planning Secretary



**TOWN OF PARADISE PLANNING DIRECTOR  
PLANNING STAFF REPORT  
MEETING DATE: December 31, 2012**

**FROM:** Susan Hartman, Assistant Planner  
**SUBJECT:** Jenks Site Plan Review Permit Application (PL12-00332)  
**DATE:** December 13, 2012  
**GENERAL INFORMATION:**

**AGENDA NO. 4 (a)**

**AP 050-150-002**

Applicant: Bradley Jenks II  
6288 Berkshire Ave  
Paradise, CA 95969

Location: 8710 Skyway, Paradise

Requested Action: Approval of a site plan review permit application proposing to establish an outdoor automotive sales business on property located at 8710 Skyway.

Purpose: To provide used vehicle sales for area residents.

Present Zoning: Community Commercial (CC)

General Plan  
Designation: Town Commercial (TC)

Existing Land Use: Vacant commercial space/single family residence

Surrounding  
Land Use: North: Skyway / Medium Density Residential  
East: Medium Density Residential  
South: Medium Density Residential  
West: Rocky Lane

Land Area: +/-0.72 acre

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

Other: An appeal of a Planning Director'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 DIRECTOR MAY NOT TAKE ACTION ON THIS APPLICATION.**

## Jenks Site Plan Review

### **SPECIAL INFORMATION:**

The project applicant, Brad Jenks, is requesting Town of Paradise site plan review permit application approval for the establishment of an outdoor automotive sales business occupancy within an existing commercial space located at 8710 Skyway in Paradise. The commercial space is currently vacant.

The +/-0.72 acre project site is improved with an existing automotive service station and a one bedroom single family residence. The project site is situated within the Community Commercial (CC) zoning district. Primary access to the site is via two public street encroachments; one fronting Skyway and the other on Rocky Lane. Customer parking for the proposed use would be provided on-site within the graveled parking area along the south side of the service station.

The proposed business activity would include the sale of used motorized vehicles on the site as well as related automotive repair as previously permitted on the site through the Town issuance of administrative permit AD-01-5. No changes to the existing commercial service station or existing 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 an automotive sales business occupancy 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 15303 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 site plan review permit application is reasonable and that the establishment of the proposed project land use will promote economic development of the Town of Paradise. Staff has developed several recommended conditions of project approval to insure the orderly development of this portion of the Paradise community. Therefore, staff endorses Planning Director approval of the Jenks site plan review 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 15303 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 Community 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.



## Jenks Site Plan Review

### **STAFF RECOMMENDATION:**

After closure of the scheduled public hearing, **adopt the findings provided by staff and approve the Jenks site plan review permit application** (PL12-00332) authorizing the establishment of an outdoor automotive sales business upon commercial property located at 8710 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 site plan review permit's effective date, the site plan review permit may become subject to revocation by the Town of Paradise.
2. All activities on the site shall be conducted in a manner that is in compliance with the Town's Noise Ordinance Regulations (PMC Chapter 9.18).
3. Outdoor storage of materials and/or equipment shall be established and maintained such that the materials and or equipment is not visible from any off-site public or private property.
4. Secure Town of Paradise design review approval for any new business sign structures prior to the establishment of such signs on the site.
5. No inoperative or dismantled vehicles shall be stored outside on the site in a manner that is visible from any off-site public or private property.
6. Maintain a parking facility containing a minimum of four parking spaces for the proposed project in accordance with all applicable design standards contained in Chapter 17.38 of the Paradise Municipal Code.

#### **CONDITIONS TO BE MET PRIOR TO ESTABLISHMENT OF BUSINESS OCCUPANCY**

#### **FIRE PROTECTION**

7. Portable fire extinguishers, minimum 2A10BC, are required in accordance with the written comments of the Fire Marshal dated December 11, 2012 and on file with the Development Services Department.
8. Provide exit door signage on or adjacent to that reads "THIS DOOR TO REMAIN UNLOCKED WHILE BUSINESS IS OCCUPIED".

## Jenks Site Plan Review

9. Fire Prevention Inspection is required prior to occupancy.
10. Comply with all other written comments of the Building Official/Fire Marshal dated December 11, 2012 and on file with the Development Services Department.

### **SANITATION**

11. Provide evidence to the Onsite Sanitary Official that the septic system has been evaluated and approved by a licensed town evaluator within the last twelve (12) months. A failed septic inspection will require the installation of a new traffic rated 1500 gallon septic tank with traffic rated risers.
12. If not already installed, secure a permit to install traffic rated risers on the septic tank for use of that area as automotive parking.

### **SITE DEVELOPMENT**

13. Secure an encroachment permit from the Town of Paradise Engineering Division for repair of the Skyway driveway encroachment.

### **OTHERS**

14. Provide material evidence to the Planning Division of a valid State of California, Board of Equalization Seller's Permit number and Vehicle Dealer License for the subject property.