



TOWN OF PARADISE

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Planning Commission Staff:

Craig Baker, Community Development Director
Susan Hartman, Assistant Planner

Planning Commission Members:

Jody Jones, Vice Chair
James Clarkson, Commissioner
April Grossberger, Commissioner
Michael Zuccolillo, Commissioner

CORRECTED

PLANNING COMMISSION AGENDA

6:00 PM – January 15, 2013

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

1a. Regular Meeting of October 15, 2012

2. COMMUNICATION

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 - NONE

6. OTHER BUSINESS

- 6a. Discussion regarding possible future adoption of Planning Commission resolution documents updating/affirming the current Town of Paradise Sphere of Influence and affirming the adequacy of the current 1994 Paradise General Plan.
- 6b. Discussion, updates and presentation regarding active development projects within the Town of Paradise

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

9. 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	

PARADISE PLANNING COMMISSION
October 16, 2012 - 6:00 p.m.
Paradise Town Council Chambers
5555 Skyway, Paradise, CA

M I N U T E S

CALL TO ORDER

The meeting was called to order by Chair Bolin at 6:01 p.m.

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

ROLL CALL

Present at roll call were Commissioners Clarkson, Jones, Zuccolillo and Chair Bolin. Commissioner Grossberger was not present. Community Development Director Craig Baker was also present.

1. APPROVAL OF MINUTES

a. Regular Meeting of September 18, 2012.

It was moved by Commissioner Jones, seconded by Commissioner Zuccolillo to approve the minutes of the September 18, 2012 Planning Commission meeting as submitted by staff.

VOTE: AYES: Commissioners Clarkson, Jones, and Zuccolillo and Chair Bolin
NOES: None. ABSTAIN: None. ABSENT: Commissioner Grossberger

MOTION CARRIES.

2. COMMUNICATION

a. Recent Council Actions

None

b. Staff Comments

Community Development Director Baker updated the Planning Commissioners on the Feather River Hospital Outpatient facility which had a tree felling application approved by the Planning Commission in June, the site plan has changed due to a change in the location of the building and parking area; all the trees will still be removed, but the opportunity to retain trees has been lost due to the amount of grading. Mr. Baker stated that no permit has been issued yet, but they are close and want to get things started as soon as possible.

3. PUBLIC COMMUNICATION - None

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

5. **PUBLIC HEARING** –

5a. COMMUNITY HOUSING IMPROVEMENT PROGRAM (CHIP) TREE FELLING PERMIT APPLICATION (PL12-00272): Request for town approval of a tree felling permit proposing the felling of up to seven (7) qualifying trees upon a +2.52 acre property zoned Community Services/Planned Development (CS/PD) located at the west end of Village Parkway (AP No. 054-380-001) due to declining health, potentially hazardous conditions and to facilitate construction of a multiple-family residential project (Phase 1 CHIP Housing project) previously approved by the Town of Paradise.

Mr. Baker stated that the original plan for the project was to save these seven trees, but they are in declining health, create potentially hazardous conditions and need to be removed to facilitate construction of the project; and, the replacement trees species may be more appropriate.

Mr. Baker explained that in 2009 the Planning Commission approved the project and authorized the felling of 81 qualifying trees and staff administratively approved the removal of three additional qualifying trees to accommodate unforeseen circumstances related to the project development, but staff has no more administrative authority, therefore the Tree Felling Permit Application was duly noticed and scheduled for Planning Commission approval. Mr. Baker also explained that all of the trees felled and proposed to be felled have to be included in the landscape plan for the project and will probably be coast redwoods, Ponderosa pines and cedars. The written analysis of the trees from botanist and certified tree arborist Elena Gregg concludes that all seven trees should be felled.

Mr. Baker stated that there is one condition of approval and that the other conditions are already in place for the project.

Chair Bolin opened the public hearing at 6:09 p.m.

Kris Zappittini, CHIP supervisor, stated that she was available to answer any questions regarding the application.

Mr. Baker asked Ms. Zappettini if she concurred with the staff recommendations and Ms. Zappettini indicated that she did.

Chair Bolin closed the public hearing at 6:10 p.m.

ITEM 5a: The MOTION was made by Jones, seconded by Zuccolillo to adopt the findings provided by staff and approve the CHIP tree felling permit application (PL12-00272), authorizing the felling of up to seven (7) qualifying foothill pine trees on property located at the west end of Village Parkway, APN 054-380-001, subject to the below.

COMMISSION VOTE: AYES of Commissioners Clarkson, Jones, Zuccolillo and Chair Bolin. NOES: None. ABSTAIN: None. ABSENT: Grossberger.

FINDINGS FOR APPROVAL

- A. The CHIP tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to accommodate the establishment of a multiple-family land use that is planned to accommodate such a use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

CONDITION OF APPROVAL

- 1. Required landscaping for the proposed Phase 1 CHIP housing project shall be designed to accommodate replacement trees. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site and for their compliance with Paradise Municipal Code Section 8.12.120 (*Tree replacement*).

Community Development Director Baker announced that the Planning Commission decision on the Tree Felling Permit Application is subject to a ten-day appeal period. The Town Council serves as the appeals board and the required appeal and fee are filed with the Town Clerk.

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES - None

8. COMMISSION MEMBERS

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

Mr. Baker stated that the following projects are in different stages of development: Dollar General, O'Reilly Auto parts, Feather River Hospital Project and the Safeway Remodel.

9. ADJOURNMENT

The Planning Commission meeting was adjourned at 6:21 p.m.

Date Approved:

Greg Bolin, Chair

Attest:

Dina Volenski, Assistant Town Clerk

MEMORANDUM

TO: Planning Commission

FROM: Craig Baker, Community Development Director

SUBJECT: Discussion Regarding Possible Future Adoption of Planning Commission Resolution Documents Updating/Affirming the Town of Paradise Sphere of Influence and Affirming the Adequacy of the 1994 Paradise General Plan

DATE: January 9, 2013

BACKGROUND:

This memorandum has been drafted for purposes of initiating a discussion regarding the potential necessity to seek and possibly facilitate eventual Planning Commission adoption of resolutions affirming the adequacy of the Town of Paradise Sphere of Influence and the 1994 Paradise General Plan. Town Attorney Dwight Moore will be in attendance during the Planning Commission Meeting and will be prepared to provide a short verbal presentation and answer any questions you may have during the discussion. It is the intention of your staff to bring the appropriate resolutions to you for your consideration during the second half of this fiscal year, if possible.

Sphere of Influence

Pursuant to California State Law, each local jurisdiction is required to have an adopted Sphere of Influence (SOI). The sphere is to be a plan for the probable physical boundaries and service area of a local government agency. The Town of Paradise adopted its current Sphere of Influence on April 11, 1985.

The California State Legislature adopted legislation that became effective on January 1, 1986, establishing Local Agency Formation Commissions (LAFCO) in each county and empowering them to review, approve or deny proposals for boundary changes (annexations) and incorporations for cities, counties, and special districts. Any annexations or boundary changes for local agencies must be consistent with a current SOI. Inasmuch as the Town's SOI has not been reviewed, updated or affirmed since it was first adopted, the Butte County LAFCO agency has recommended that the Town affirm its SOI. Currently, there are no plans or direction given by the Town Council to seek a change for the current delineation of the Town's SOI.

The need for the SOI update/affirmation would be to ensure that the Town of Paradise has an up-to-date SOI. An outdated sphere of influence may not provide an adequate basis for making the statutorily required vertical consistency finding to support an annexation. This would be very important to the Town for projects such as the future Wal-Mart annexation, which is within the Town's current (but outdated) SOI. Attached to this memorandum is a map showing the Town's SOI and the Town's jurisdictional boundaries.

The type of environmental review needed would be determined by the Town, since the Town will act as the lead agency for the SOI update/affirmation. Butte County LAFCO staff has indicated to Town staff that it would be most prudent to prepare an Environmental Impact Report (EIR) for the update/affirmation, which then could include findings of overriding considerations if needed.

1994 General Plan

With the exception of the Housing Element, the 1994 Paradise General Plan is now seventeen years old. The primary concept and risk, however small, of linking project approvals to potentially inadequate or outdated policies is similar to that of the discussion regarding the Town's SOI.

In early 2011, then Town Community Development Director Al McGreehan reviewed the General Plan and determined that it and its accompanying EIR satisfy the statutory mandates under current State law. California Government Code section 65103(a) requires a local planning agency (in our case, the Planning Commission) to periodically review and revise, as necessary, its General Plan. However, there is no specific time period required during which to do so, but the Town Attorney has advised Town Planning Staff that the General Plan should be reviewed and confirmed by the Planning Commission.

TOWN OF PARADISE SPHERE OF INFLUENCE



DEPARTMENT OF DEVELOPMENT SERVICES
TOWN OF PARADISE
1000 PARADISE AVENUE, SUITE 100
PARADISE, CALIFORNIA 95969



MEMORANDUM

TO: Planning Commission

FROM: Craig Baker, Community Development Director

SUBJECT: Discussion, Updates and Presentation Regarding Active Development Projects within the Town of Paradise

DATE: January 11, 2013

Town staff has prepared this memorandum outlining the various active development projects in the Town that are either currently under staff review or under construction in order to update and familiarize you with these projects. A short PowerPoint presentation will be provided and staff will attempt to be prepared to answer any questions that Planning Commissioners may have. The project descriptions are current as of the date of this memorandum.

ACTIVE DEVELOPMENT PROJECTS

- **Rocking Rooster Café**

This project entails the remodel and conversion of an existing vacant commercial space located at 5542 Clark Road (at Buschmann Road) into a new restaurant. The business owners have installed a new wastewater treatment and disposal system and are currently remodeling the building in accordance with Town-approved plans, requesting and receiving periodic site inspections. The developer is also coordinating the design/location of trash enclosures for the project with NRWS staff.

- **Paradise Community Village**

Conditionally approved by the Town in 2009, the Paradise Community Village (PCV) project entails the development of 49 acres of land located west of Lower Clark Road at the west end of Village Parkway. Elements of the project include multiple-family housing, single-family housing, recreational amenities, a middle school, community-oriented uses and open space. Construction of Phase I of the multi-family housing element (36 dwelling units) is well underway. Construction of the project's wastewater treatment and disposal system is nearing completion.

- **O'Reilly Auto Parts**

This project is proposed for a vacant 0.92 acre parcel located at 7368 Skyway (near Maxwell Drive) and consists of the establishment of an 8,100 square foot auto parts store. A wastewater disposal system construction, building construction permits and site and frontage improvement permits for the project have been issued. Demolition of existing site improvements has commenced and it is expected that construction will be complete during calendar year 2013.

- **Wendy's Restaurant**

This project, located along Clark Road across from the Butte County Library, is a proposal to establish a 3,000 square foot restaurant with a drive through facility on a vacant one acre lot. The project has received all necessary approvals from the Town, except actual review and issuance of construction plans and permits. The developer has recently indicated to the Town that construction plans for the restaurant are being finalized and will be submitted shortly.

- **Feather River Hospital**

The Feather River Hospital, after having completed their new Emergency Room addition, has proposed the construction of a 13,000 square foot Gastro-Intestinal Outpatient Clinic to be located on a one acre portion of the hospital campus. A tree felling permit application for the project has been conditionally approved by the Planning Commission and building construction plans have been approved and are ready to issue, pending payment of school fees. Completion of the proposed clinic is expected during calendar year 2013.

- **Dollar General Stores (2)**

Design review and wastewater land use review applications for a proposed new 9,200 square foot discount retail store at 6633 Skyway have been approved. Building construction, site improvement, frontage improvement and landscape plans have been submitted and are currently being reviewed. A site for a second store is currently being evaluated, located along Clark Road adjacent to Kmart. Some soils work has been completed with favorable results, though more is needed.

- **PID Corporation Yard**

This project entails the development of a new corporation yard for the Paradise Irrigation District upon a 3.4 acre site located at 6344 Clark Road. The project includes the construction of 4,400 square feet of staff offices and other facilities, 7,102 square feet of shop/warehouse area and a new paved parking facility. All planning entitlements have been secured, all

development permits have been issued and construction is progressing. Project completion is expected in 2013.

- **Other Commercial Projects**

Town staff is actively working with several development interests that are seeking to develop other commercial projects in the Paradise Community. Our continued goal is to nurture this and other current and potential projects that are beneficial for the Town and its citizens. Following is a listing of other projects that Town staff has been involved in recently with current and potential business owners:

- New automotive service with a retail component at 6420 Clark Road (formerly Jiffy Lube) – A wastewater disposal system construction permit has been issued, a new septic tank has been installed and work on an interior remodel is progressing.
- New potential retail establishment (Hot Rod Smoke and Tattoo Supplies) in an existing commercial space located at 6226 Skyway (at Fir St. and Skyway). Design review approval for a new façade has been granted.
- New auto sales land use in conjunction with an existing automotive service on property located at 8710 Skyway (at Rocky Lane). A site plan review permit authorizing the land use was conditionally approved by the Planning Director on December 31, 2012.