



Town of Paradise Planning Commission Meeting Agenda 6:00 PM – October 19, 2021

Town of Paradise Council Chamber – 5555 Skyway, Paradise, CA

Planning Commission Staff:

Susan Hartman, Community Development Director

Planning Commission Members:

Carissa Garrard, Chair
Ron Lassonde, Vice Chair
Lynn Costa, Commissioner
Kim Morris, Commissioner
Zeb Reynolds, Commissioner

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Hartman, at 872-6291 ext. 417 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. 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 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. APPROVAL OF MINUTES

1a. Approve Regular Meeting Minutes of August 17, 2021.

2. COMMUNICATION

- 2a. Recent Council Actions
- 2b. Staff Comments

3. PUBLIC COMMUNICATION

Comments may be submitted via e-mail to dvolenski@townofparadise.com prior to 4:00 p.m. the day of the meeting. Comments will not be accepted via YouTube. 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. Item to be determined to be exempt from environmental review.

MUNJAR CONDITIONAL USE PERMIT APPLICATION (PL21-00090): Planning Commission Approval of a Conditional Use Permit allowing the establishment of Warehouse (general) land use at 6480 Clark Road, a community commercial (CC) zoned property. The project would consist of a garden center/landscaping materials yard including a 320 sq. ft. office building and 29 material bins constructed of precast concrete blocks.

5b. Item for which a proposed mitigated negative declaration document regarding environmental impacts is proposed to be adopted

LUPINE TENTATIVE SUBDIVISION MAP APPLICATION (PL20-00259) Town approval of a tentative subdivision map application for a residential subdivision of real property into ten lots and a remainder lot to accommodate residential development., 5389 Newland Road, Assessor Parcel Number 054-181-051

5c. Item for which a proposed Mitigated Negative Declaration document regarding environmental impacts is proposed to be adopted.

Burnt Barn Distillery Conditional Use Permit Application (PL20-00279)
The project proponent is requesting Town of Paradise approval of a conditional use permit application proposing the establishment of a distillery, warehouse, and tasting room within a 4,800 square foot metal building (currently under construction) on a 17.95-acre parcel zoned Agricultural Residential 3-acre minimum (AR-3). The project would also include the future construction of a 4,300 square foot structure which would be utilized as a tasting room and barrel storage area and is further identified as 195 Wayland Road, Assessor Parcel No. 055-090-064.

6. OTHER BUSINESS - None

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

8a. Identification of future agenda items (All Commissioners/Staff)

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:	
<hr/>	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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

www.townofparadise.com

P L A N N I N G C O M M I S S I O N M I N U T E S

August 17, 2021

6:00 PM

CALL TO ORDER by Chair Morris at 6:00 p.m. who let the pledge of Allegiance to the Flag of the United States of America.

PLANNING COMMISSIONERS PRESENT: Carissa Garrard, Ron Lassonde, Zeb Reynolds and Kim Morris, Chair

PLANNING COMMISSIONERS ABSENT: Lynn Costa

1. APPROVAL OF MINUTES

- 1a. **MOTION by Garrard, seconded by Lassonde**, approved Regular Meeting Minutes of July 20, 2021. Roll call vote was unanimous with Commissioner Costa absent and not voting.

2. APPOINTMENT OF PLANNING COMMISSION CHAIR AND VICE CHAIR FOR THE 2021/2022 FISCAL YEAR.

a. Appointment of Chair (Secretary presiding)

Town Clerk Volenski opened the floor for nominations of Planning Commission Chair for a one-year term commencing on August 17, 2021.

Chair Morris nominated Commissioner Carissa Garrard to serve as Chair for a one-year term commencing August 17, 2021.

Commissioner Reynolds nominated Commissioner Ron Lassonde to serve as Chair for a one-year term commencing August 17, 2021.

Motion by Lassonde, seconded by Morris to close the nomination for position of Chair. All commissioners approved closing the nomination.

A roll call vote on Commissioner Garrard to serve as Chair for a one-year term through July 18, 2022 was approved unanimously with Commissioner Costa absent and not voting.

Town Clerk Volenski turned the meeting over to Chair Garrard.

b. Appointment of Vice Chair (Appointed Chair presiding)

Chair Garrard opened the floor for nominations for Planning Commission Vice-Chair for a one-year term commencing on August 17, 2021.

Commissioner Morris nominated Commissioner Lassonde to serve as Vice-Chair for a one-year term commencing August 17, 2021.

Motion by Lassonde, seconded by Morris to close the nomination for Vice-Chair. All Commissioners approved closing the nomination with Commissioner Costa absent and not voting.

Commissioner Lassonde was the only one nominated to serve as Vice-Chair, as such, Commissioner Lassonde will serve as Vice-Chair for a one-year term through July 18, 2022. No roll call vote was taken.

3. COMMUNICATION

- 3a. Community Development Director Susan Hartman provided an update on Town Council actions which included Council direction to staff to bring back a revised Interim Housing Ordinance extending the ordinance, for those people who already have temporary use permits, until April 30, 2023, with the following conditions: residents must be connected to water, electric, septic, and have trash service and no violations by September 30, 2021 and no more than two violations in a calendar year or two citations on a single violation or the Temporary Use Permit can be revoked. Previous thresholds for showing progress towards rebuilding, such as providing evidence toward rebuilding will be removed. An Exception Committee, comprised of two Council Members who have the ability to grant exceptions in extenuating circumstances, will be initiated. Town Council also heard a public hearing about the solid waste management franchise and the assignment which was rejected and remanded back to staff for further negotiations. The new Town logo was introduced as Ordinance No. 610 at the August Council meeting.

4. PUBLIC COMMUNICATION -None

5. CONTINUED PUBLIC HEARING - None

6. PUBLIC HEARING - None

7. OTHER BUSINESS

- 7a. Appointment of one Planning Commission Representative to serve upon the Town of Paradise Design Review Committee during the FY 2021-2022.

Commissioner Morris nominated Vice-Chair Lassonde as representative to the Town of Paradise Design Review Committee during the FY 2021-2022. All Commission concurred with Commissioner Costa absent and not voting.

- 7b. Appointment of two (2) Planning Commission Representatives to serve upon the Town of Paradise Landscape Committee (appeals body) during the FY 2021-2022 (Requirement of PMC Chapter 15.36)

Commissioner Morris nominated Commissioner Costa as one of two representatives to serve upon the Town of Paradise Landscape Committee (appeals body) during the FY 2021-2022 and Chair Garrard volunteered to serve as the second representative. All Commission concurred with Commissioner Costa absent and not voting.

- 7c. Meredith Rupp and Leslie Carmichael of Urban Planning Partners, Inc. provided an overview of the General Plan Housing Element Update (No action was requested - item was for information only.)

Presenters Meredith and Leslie offered a background on Housing Elements in general, provided their preliminary findings, and next steps.

8. COMMITTEE ACTIVITIES

- 8a. Commissioner Lassonde encouraged his fellow Commissioners to participate in the online design review survey.

9. COMMISSION MEMBERS

- 9a. Community Development Director Susan Hartman informed Commission that the public meeting for the Housing Element is tentatively scheduled for September 21, 2021. Ms. Hartman anticipates cancelling the Regular Planning Commission Meeting on September 21st, and instead holding the public meeting workshop. Ms. Hartman shared updates on the following projects: Chin Dynasty, Cozy Diner, the brewery, and the Methodist Church.

9. ADJOURNMENT

Chair Morris adjourned the meeting at 7:16 p.m.

Date Approved:

By: _____
Carissa Garrard, Chair

Attest:

Dina Volenski, CMC, Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: October 19, 2021**

FROM: Nick Bateman, Associate Planner **AGENDA NO. 5(a)**
SUBJECT: Munjar Conditional Use Permit Application (PL21-00090)
DATE: October 13, 2021 **AP 050-200-157**

GENERAL INFORMATION:

Applicant: Doug Munjar
P.O. Box 127
Paradise, CA. 95967

Location: 6480 Clark Road, Paradise, CA 95969

Requested Action: Approval of a Conditional Use Permit allowing the establishment of Warehouse (general) land use at 6480 Clark Road, a community commercial (CC) zoned property. The project would consist of a garden center/landscaping materials yard including a 320 sq. ft. office building and 29 material bins constructed of precast concrete blocks.

Purpose: To provide bulk garden soils and landscaping materials to the community.

Present Zoning: Community Commercial (CC)

General Plan Designation: Town Commercial (TC)

Existing Land Use: Temporary laydown/storage yard in use by a PG&E contractor.

Surrounding Land Use: **North:** First Baptist Church of Paradise
East: 3 lots with TR 1/3 zoning. One has a residence.
South: Commercial use and a vacant lot zoned TR 1/3.
West: Clark Road, Paradise Alliance Church

Parcel Size: ±2.4 acres

CEQA Determination: Categorically Exempt - CEQA 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 OR THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION

PROJECT INFORMATION:

The project applicant is seeking approval from the Town of Paradise, via Conditional Use Permit approval, to establish a warehouse (general) land use on a community commercial (CC) zoned lot. The ± 2.4 -acre property is located on the east side of Clark Road between Bille Road and Wagstaff Road and is addressed as 6480 Clark Road.

Access to the site is via two public street encroachments to Clark Road. Customer parking for the site would be provided on-site adjacent to the proposed office building. Several other parking areas would be available as outlined on the provided site plan.

The project site is currently vacant but was most recently utilized as a laydown/storage yard for vehicles and equipment by a PG&E contractor. The laydown yard land use was authorized by a temporary use permit which expired on 8/31/2021. The property is otherwise unimproved.

The proposed project is a garden supply center/materials yard for the sale of bulk soils and landscape materials. The project would utilize a 320 square foot manufactured office building on a permanent foundation, which would include an ADA accessible restroom.

The proposed services would include operation of the business would from 7am-7pm daily, with all business operations being conducted by one or two onsite employees. Customers would have their vehicles loaded with soils or other materials by an employee using a front-loader.

ANALYSIS:

As a new commercial structure under 2,500 square feet in size, this project has been determined by planning staff to belong to a class of projects which are categorically exempt from environmental review, pursuant to the requirements of the California Environmental Quality Act (CEQA section 15303, Class 3).

The project has received favorable responses from the commenting departments and agencies. The project is proposed in a reasonable location for the establishment of a garden center if conditioned appropriately. The proposed project is in compliance with all applicable zoning regulations and can be found to be consistent with the Paradise General Plan policies applicable to town commercial land uses.

ANALYSIS CONCLUSION:

Upon review of the existing environmental setting and the project proposal, it is staff's position that the requested use permit application is reasonable and that the establishment of the proposed project's 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 the project. Staff endorses the Planning Commission approval of the

Munjar conditional use permit application, based upon and subject to the following recommended findings and conditions of project approval:

REQUIRED FINDINGS 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 (Class 3) of the CEQA guidelines.
2. Find that, as conditioned, the project 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 proposed and conditioned, will be compatible with surrounding land uses and shall not be detrimental to the public's health, safety, and general welfare because the land use compatible with the zoning and would not be out of character for the surrounding area.

RECOMMENDATION:

Adopt the required findings for approval as provided by staff, and approve the Munjar Conditional Use Permit application (PL21-00090) to authorize the construction of a garden center/materials yard including a 320 square foot office and multiple concrete materials bins on a ±2.4-acre property zoned Community-Commercial (CC), subject to the following conditions of approval:

GENERAL CONDITIONS

1. If any land use for which a conditional use permit has been granted and issued is not established within three (3) years of the permit's effective date, the conditional use permit may become subject to revocation by the Town of Paradise.
2. Apply for and secure Town of Paradise architectural design review approval for the project. Pursuant to Town Council resolution, there shall be no fee collected by the Town for this review process.
3. Secure Town of Paradise design review approval for any new business sign

structures prior to the establishment of such signs on the site.

4. 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.
5. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project, its environmental document 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 by the Planning Commission and the payment of the appropriate processing fees
6. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)

SITE DEVELOPMENT

7. Submit a detailed Soil Erosion, Sediment Control, and Dust Emission Control Plan to the Town Public Works Department for approval by the Town Engineer **PRIOR** to the start of any earthwork.

ROADS AND ACCESS

8. All work within the Clark Road public right of way is subject to Town issuance of an encroachment permit. Applicant shall secure an encroachment permit from the Town of Paradise Public Works Department. All work in the public right-of-way requires a licensed, bonded, and insured contractor.
9. Deed 25 feet from the center of the Clark Road right-of-way in a manner deemed satisfactory to the Town Engineer or provide a recorded document showing that this requirement has been met.

GRADING / DRAINAGE

10. If more than fifty (50) cubic yards of soil is displaced in association with the project, apply for and secure Town issuance of a grading permit satisfying all Town Public Works Department requirements. Pay applicable grading permit fees per current fee schedule.

CONSTRUCTION

11. Meet the requirements of the Town Building Official regarding accessibility requirements, fire resistive materials, submittal of construction plans, building permit applications, and all applicable construction code requirements.

SANITATION

12. Complete the requirements of the Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a sewage disposal system to serve the proposed land use.

CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTON AND CERTIFICATE OF OCCUPANCY

SITE DEVELOPMENT

13. Complete the project as per the Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications.
14. Construct all necessary site, drainage, access, and other facilities improvements as required by the Town Engineer. All construction shall be in conformance with generally acceptable engineering and construction practices.
15. Submit landscaping plans and current application fee to the Development Services Department (Planning division) in accordance with Paradise Municipal Code requirements and install approved landscape materials in a manner deemed satisfactory to the town Planning Director. Installation of required landscape materials may be guaranteed by a bond (or a similar financial instrument) for a limited additional period of time determined by the Planning Director to be appropriate (ex: 90 days). Landscape Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance (MWELO).

ROADS AND ACCESS

16. 20' deep driveways from each encroachment entrance/exit into the property shall be paved to reduce the tracking of materials into the public right of way.

UTILITIES

17. Meet the requirements of all utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.
18. Meet all requirements of the Paradise Irrigation District (PID) in accordance with written project review comments received from PID staff dated July 19, 2021, regarding water main upgrades and any revisions thereto on file with the Town Development Services Department.

SANITATION

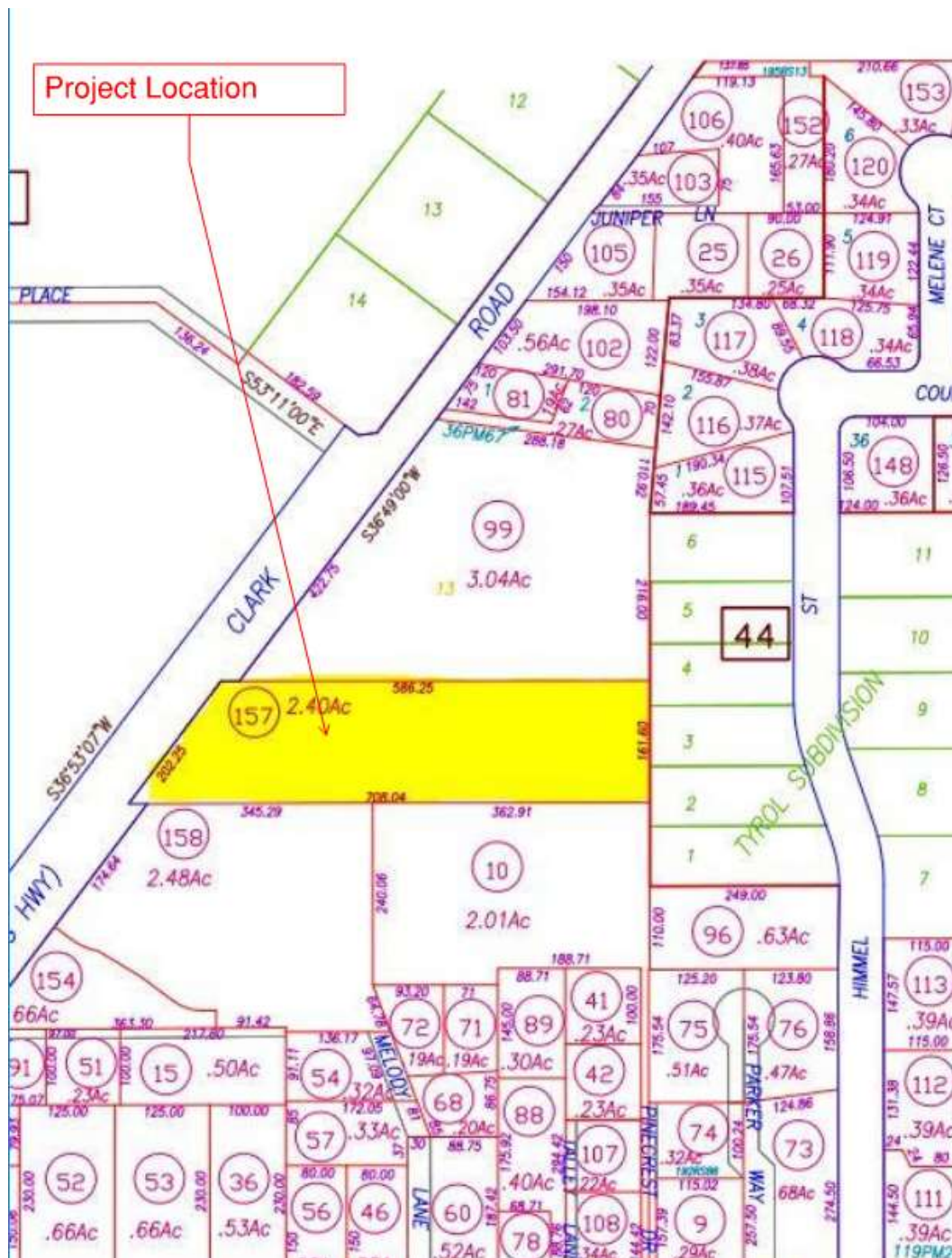
19. Complete the requirements of the Town Onsite Sanitary Official regarding the installation of the required septic system. Provide evidence thereof to the Town Development Services Department (building division).

CONDITIONS OF LAND USE OPERATION

20. All activities associated with the proposed garden center and equipment shall be conducted in compliance with the Town of Paradise Noise Control Ordinance.

**LIST OF ATTACHMENTS FOR
MUNJAR CONDITIONAL USE PERMIT APPLICATION (PL21-00090)**

1. Project site vicinity map
2. Notice sent to surrounding property owners and the Paradise Post for the October 19, 2021, public hearing
3. Mailing list of property owners and agencies notified of the public hearing
4. Comments received from reviewing departments/agencies
5. CEQA Notice of Exemption document for the Munjar project
6. Completed Conditional Use Permit application
7. Munjar project site plan



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APPLICANT: Doug Munjar and Phil Anthony		
OWNER: WLM Construction Inc.		
PROJECT DESCRIPTION: Planning Commission consideration of a request for a conditional use permit to establish a garden center on a ±2.4-acre lot. The project is proposed at 6480 Clark Road, further identified with the assessor's parcel number 050-200-157. The garden center would sell bulk materials such as soils, rocks, and landscaping materials.		
ZONING: Community Commercial (CC)	GENERAL PLAN: Town Commercial (T-C)	FILE NO. PL21-00090
ASSESSOR PARCEL NOS. : 050-200-157		MEETING DATE: 10/19/21

NOTICE OF PUBLIC HEARING: PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Commission that a public hearing will be held on **Tuesday, October 19, 2021 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

D. MUNJAR CONDITIONAL USE PERMIT APPLICATION (PL21-00090): Planning Commission consideration of a conditional use permit application proposing the establishment of a Warehouse (general) land use. The project site is a \pm 2.4-acre property zoned Community Commercial (CC), located at 6480 Clark Rd, Paradise and further identified as Assessor Parcel Number 050-200-157.

The project file is available for public inspection at the Development Services Department, Town of Paradise, Building Resiliency Center at 6295 Skyway. 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 Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6291 x 417.

SUSAN HARTMAN
Planning Director

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
6161 Clark Road Ste. 1
Paradise, CA 95969

Paradise Board of Realtors
6161 Clark Road Ste. 1
Paradise, CA 95969

Munja
Labels

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
313 Walnut St., Ste. 140
Chico, CA 95928

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

Apn	050-200-157-000	050-200-010-000
Owner	Wlm Construction Inc	Wlm Construction Inc
Owner2	Po Box 2035	Po Box 2035
Street_Address	Paradise, Ca 95967	Paradise, Ca 95967
City_State_Zip		
050-200-041-000	050-200-075-000	050-200-089-000
Peters Crystal & Nick Family Trust	James Family Trust	Mascote Michael John Trust
C/O Peters Nick & Crystal Trustees	C/O James Gerald C & Janie K Trustees	C/O Mascote Michael John Trustee
808 Arbutus Ave	343 Lodgeview Dr	2089 Hudson Cove Dr
Chico, Ca 95926	Oroville, Ca 95966	Roseville, Ca 95747
050-200-096-000	050-200-099-000	050-200-104-000
Merritt Matthew	First Baptist Church Of Paradise	Christian & Missionary All Church Of
1355 E Lindo Ave	California	Para
Chico, Ca 95926	6500 Clark Rd	6491 Clark Rd
	Paradise, Ca 95969	Paradise, Ca 95969
050-200-109-000	050-200-115-000	050-200-154-000
United States Postal Service	Swanson Family Trust	Wlm Construction Inc
Real Estate Div-Facilities Serv Ctr	C/O Swanson Donald L & Beverly F	P O Box 2035
850 Cherry Ave	Trustees	Paradise, Ca 95967
San Bruno, Ca 94099	8501 Big Rock Rd	
	Santee, Ca 92071	
050-200-158-000	050-440-001-000	050-440-002-000
Wlm Construction Inc	Noble David H & Candice D	Timm Leslie & Jacob Daniel
Po Box 2035	4207 Maxwell Rd	888 Kern St
Paradise, Ca 95967	Colorado Springs, Co 80909	Chico, Ca 95928
050-440-003-000	050-440-004-000	050-440-005-000
Wilson Brian & Elizabeth	Wilson Elizabeth A & Robert B	Espinoza George & Maria Elena
395 E 14th St	395 E 14th St	6257 Himmel St
Chico, Ca 95928	Chico, Ca 95928	Paradise, Ca 95969
050-440-006-000		
Espinoza George & Maria Elena		
6257 Himmel Street		
Paradise, Ca 95969		



Town of Paradise Department Responses

PL21-00090			D. Munjar Conditional Use Permit
Commenting Department	Date received	Comment	
Building	7/20/21	<i>"Building permit required."</i> Tony Lindsey, Building Official	
Engineering	7/29/21	<i>"All I need on my side is an Erosion and Sediment Control Plan. We do want to ensure there isn't a tracking issue in the Public Right of Way in addition to downstream impacts."</i>	
	8/19/21	<i>"I have reviewed the subject project with this lens. Yes, the project needs to dedicate the 40' half-width of Clark Road. At least 25' of Clark Road is already existing and used as a public road prescriptively, however, the full 40' needs to be dedicated and/or verified."</i> <i>In regards to other requirements (civil site improvements)... the frontage improvements are already built out. With no significant impervious surfaces, I do not need to review much else unless they are grading more than 50CY. Can you please confirm? Lastly, I would like to see at least 20' paved back from each driveway entrance/exit to reduce the chance of silt, dirt and debris tracking into the Public Right of Way."</i> Marc Mattox, Town Engineer	
Fire	7/20/21	<i>"The provided site plan answered my fire concerns."</i> Tony Lindsey, Fire Official	
Onsite / Wastewater		<i>"The onsite division has approved this use."</i> Bob Larson, Town Onsite Official	
Police department	7/26/21	No comment given Eric R. Reinbold – Chief of Police	
Paradise Irrigation District	7/31/21	APN 050-200-157 was previously served water through a 1" metered service connection(s). At the time of this response the water quality advisory has not been lifted at this parcel. Service lateral replacement(s) and backflow prevention are required at all water service connections assigned to this parcel to lift the water quality advisory. The service lateral(s) will be replaced at the current location(s) unless otherwise determined by PID. Contact PID if the planned development requires any changes to the existing water service connection(s). Costs for any upgrades and backflow prevention requirements	



		<p><i>are the responsibility of the property owner. Please contact the PID office at 530-877-4971 for questions or assistance.</i></p> <p><i>These comments apply to the domestic water supply only. Reviewed on 07/28/2021 by Water Works Engineers LLC, serving as PID District Engineer</i></p> <p><i>Water Works Engineers, serving as PID District Engineer.</i></p>
Northern Recycling & Waste Services	7/19/21	<p><i>“Northern Recycling and Waste will be able to service this customer at the location provided. The size of the trash enclosure will determine the service level (size of bin) of the customer. If the customer plans on having a recycling bin, that will need to be taken into consideration for the size of the enclosure.</i></p> <p><i>If the yard plans to be fenced in, Northern Recycling will need to issue a lock to be used as a daisy chain on the gate so our driver can service the containers outside of normal business hours.”</i></p> <p><i>Andrew Guidi, NRWS reviewer</i></p>

PROJECT NO. PL21-00090
PROJECT NAME:

TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, FIRE, ONSITE, PID, PD, NRWS

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Application for conditional use permit to establish an aggregate/soils yard on a community commercial (CC) zoned property. The project would include 29 concrete materials bins and a 320 Sq. Ft. prefabricated office building on a permanent foundation. Please see the attached project description for more

LOCATION 6480 Clark Road

AP NOS.: 050-200-157

APPLICANT: Doug Munjar

CONTACT PHONE: 530-518-9077

DATE DISTRIBUTED: 7/19/21

RETURN DATE REQUESTED: 8/2/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)

Colleen Boak

Signature

Water Works Engineers

Agency

7/28/21

Date

CONDITIONS PRIOR TO ISSUANCE:

CONDITIONS PRIOR TO PERMIT FINAL:

APN 050-200-157 was previously served water through a 1" metered service connection(s). At the time of this response the water quality advisory has not been lifted at this parcel. Service lateral replacement(s) and backflow prevention are required at all water service connections assigned to this parcel to lift the water quality advisory. The service lateral(s) will be replaced at the current location(s) unless otherwise determined by PID.

Contact PID if the planned development requires any changes to the existing water service connection(s). Costs for any upgrades and backflow prevention requirements are the responsibility of the property owner. Please contact the PID office at 530-877-4971 for questions or assistance.

These comments apply to the domestic water supply only.

Reviewed on 07/28/2021 by Water Works Engineers LLC, serving as PID District Engineer

PROJECT NO. PL21-00090
PROJECT NAME:

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DEVELOPMENT SERVICES DEPARTMENT**

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LOCATION 6480 Clark Road

AP NOS.: 050-200-157

APPLICANT: Doug Munjar

CONTACT PHONE: 530-518-9077

DATE DISTRIBUTED: 7/19/21


RETURN DATE REQUESTED: 8/2/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☒ YES

☐ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)


Signature

PARADISE P.D.
Agency

7/25/2021
Date

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, FIRE, ONSITE, PID, PD, NRWS

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Application for conditional use permit to establish an aggregate/soils yard on a community commercial (CC) zoned property. The project would include 29 concrete materials bins and a 320 Sq. Ft. prefabricated office building on a permanent foundation. Please see the attached project description for more

LOCATION 6480 Clark Road

AP NOS.: 050-200-157

APPLICANT: Doug Munjar

CONTACT PHONE: 530-518-9077

DATE DISTRIBUTED: 7/19/21

RETURN DATE REQUESTED: 8/2/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☒ YES

☐ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)

Tony Lindsey

Signature

CDD BLDG & FIRE

Agency

7/20/2021

Date

CONDITIONS PRIOR TO ISSUANCE:

Building Permit required.

CONDITIONS PRIOR TO PERMIT FINAL:

Bateman, Nick

From: Lindsey, Anthony
Sent: Tuesday, July 20, 2021 11:38 AM
To: Bateman, Nick
Subject: RE: Development Review Request 6480 Clark aggregate yard

Nope the provided site plan answered fire concerns.

Yours in service,
Tony Lindsey
CDD Director Bldg&Code
530.872.6291 ext.428

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Tuesday, July 20, 2021 11:37 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>
Subject: RE: Development Review Request 6480 Clark aggregate yard

Tony,

Thanks for the quick response on this. Any comments for Fire?

Thank you,
Nick Bateman

From: Lindsey, Anthony <tlindsey@townofparadise.com>
Sent: Tuesday, July 20, 2021 11:35 AM
To: Bateman, Nick <nbateman@townofparadise.com>
Subject: RE: Development Review Request 6480 Clark aggregate yard

See attached

Yours in service,
Tony Lindsey
CDD Director Bldg&Code
530.872.6291 ext.428

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Monday, July 19, 2021 9:16 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Mattox, Marc <mmattox@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; Reinbold, Eric <ereinbold@townofparadise.com>; Jim Ladrini <jiml@wwengineers.com>; Andrew Guidi <AndrewG@NorthernRecycling.biz>
Cc: colleenb@wwengineers.com
Subject: Development Review Request 6480 Clark aggregate yard

Hello,

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, FIRE, ONSITE, PID, PD, NRWS

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Application for conditional use permit to establish an aggregate/soils yard on a community commercial (CC) zoned property. The project would include 29 concrete materials bins and a 320 Sq. Ft. prefabricated office building on a permanent foundation. Please see the attached project description for more

LOCATION 6480 Clark Road

AP NOS.: 050-200-157

APPLICANT: Doug Munjar

CONTACT PHONE: 530-518-9077

DATE DISTRIBUTED: 7/19/21

RETURN DATE REQUESTED: 8/2/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)

Andrew Guidi

Signature

Northern Recycling and Waste

Agency

7/19/21

Date

CONDITIONS PRIOR TO ISSUANCE:

Northern Recycling and Waste will be able to service this customer at the location provided. The size of the trash enclosure will determine the service level (size of bin) of the customer. If the customer plans on having a recycling bin, that will need to be taken into consideration for the size of the enclosure.

If the yard plans to be fenced in, Northern Recycling will need to issue a lock to be used as a daisy chain on the gate so our driver can service the containers outside of normal business hours.

CONDITIONS PRIOR TO PERMIT FINAL:

From: Larson, Bob
Sent: Monday, August 2, 2021 7:12 AM
To: Bateman, Nick
Subject: RE: Development Review Request 6480 Clark aggregate yard

Follow Up Flag: Follow up
Flag Status: Flagged

The onsite division has approved this use.

Bob Larson
Onsite Sanitary Official
Town of Paradise

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Thursday, July 29, 2021 9:19 AM
To: Mattox, Marc <mmattox@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>;
colleenb@wwengineers.com
Subject: RE: Development Review Request 6480 Clark aggregate yard

Hello All,

Please respond with any comments you might have for this proposed aggregate yard. I would appreciate an expedient review so we can try to get this project to the next available public hearing.

Thank you,

Nick Bateman

From: Bateman, Nick
Sent: Monday, July 19, 2021 9:16 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Mattox, Marc <mmattox@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; Reinbold, Eric <ereinbold@townofparadise.com>; Jim Ladrini <jiml@wwengineers.com>; Andrew Guidi <AndrewG@NorthernRecycling.biz>
Cc: colleenb@wwengineers.com
Subject: Development Review Request 6480 Clark aggregate yard

Hello,

Attached is a development review request for an application for a conditional use permit to establish an aggregate/soils yard at 6480 Clark Road. Please review the project materials and return any conditions, comments, or concerns. Please fill the attached DRR form.

Please let me know if you have any questions.

Thank you,

Bateman, Nick

From: Mattox, Marc
Sent: Thursday, July 29, 2021 1:45 PM
To: Bateman, Nick
Subject: RE: Development Review Request 6480 Clark aggregate yard

Hi Nick:

All I need on my side is an Erosion and Sediment Control Plan. We do want to ensure there isn't a tracking issue in the Public Right of Way in addition to downstream impacts.

Thank you,

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Thursday, July 29, 2021 9:19 AM
To: Mattox, Marc <mmattox@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>;
colleenb@wwengineers.com
Subject: RE: Development Review Request 6480 Clark aggregate yard

Hello All,

Please respond with any comments you might have for this proposed aggregate yard. I would appreciate an expedient review so we can try to get this project to the next available public hearing.

Thank you,

Nick Bateman

From: Bateman, Nick
Sent: Monday, July 19, 2021 9:16 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Mattox, Marc <mmattox@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; Reinbold, Eric <ereinbold@townofparadise.com>; Jim Ladrini <jiml@wwengineers.com>; Andrew Guidi <AndrewG@NorthernRecycling.biz>
Cc: colleenb@wwengineers.com
Subject: Development Review Request 6480 Clark aggregate yard

Hello,

Attached is a development review request for an application for a conditional use permit to establish an aggregate/soils yard at 6480 Clark Road. Please review the project materials and return any conditions, comments, or concerns. Please fill the attached DRR form.

Please let me know if you have any questions.

Thank you,

Nick Bateman | Associate Planner
530-872-6291 ext. 423 | nbateman@townofparadise.com



Bateman, Nick

From: Mattox, Marc
Sent: Thursday, August 19, 2021 4:14 PM
To: Bateman, Nick
Subject: RE: 6480 Clark Follow up

Follow Up Flag: Follow up
Flag Status: Flagged

Nick,

I have reviewed the subject project with this lens. Yes, the project needs to dedicate the 40' half-width of Clark Road. At least 25' of Clark Road is already existing and used as a public road prescriptively, however, the full 40' needs to be dedicated and/or verified.

In regards to other requirements (civil site improvements)... the frontage improvements are already built out. With no significant impervious surfaces, I do not need to review much else unless they are grading more than 50CY. Can you please confirm? Lastly, I would like to see at least 20' paved back from each driveway entrance/exit to reduce the chance of silt, dirt and debris tracking into the Public Right of Way.

Please let me know if you have any other questions or needs.

Thank you,

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Thursday, August 12, 2021 10:13 AM
To: Mattox, Marc <mmattox@townofparadise.com>
Subject: RE: 6480 Clark Follow up

Hey Marc,

Any word on this? I'll need to send my corrections out by tomorrow and trying to cover all bases in case more info is needed.

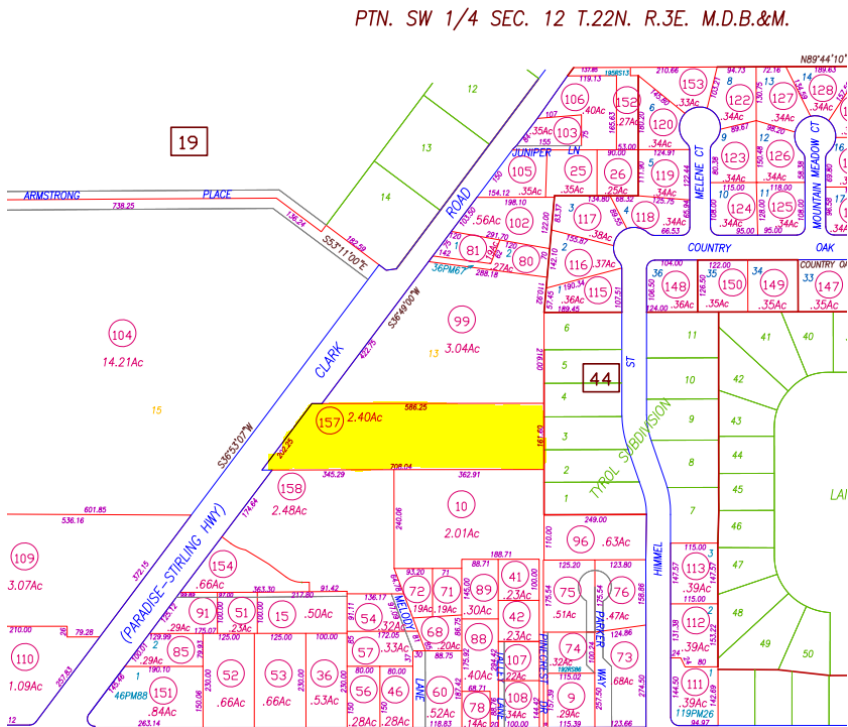
Thank you,
Nick

From: Bateman, Nick
Sent: Friday, August 6, 2021 12:10 PM
To: Mattox, Marc <mmattox@townofparadise.com>
Subject: 6480 Clark Follow up

Hi Marc,

I am spending some more time on our garden center/aggregate yard project at 6480 Clark and have some follow up questions for you.

- Will ROW dedication/frontage improvements be required for this project? I notice that the Assessor’s parcel map seems to show the property out into Clark.



- Can you confirm that an engineered site plan will be required? Anything else? I have attached our development checklist. If any of these items are required please either fill the attached or copy and mark from the below in your email.

I = Required for Issuance

F = Required for Project Final

na = Not applicable

I	F	na	ENGINEERING
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Encroachment permit (must be licensed and bonded)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grading permit
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion control plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Onsite civil improvement plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Engineered site plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater Post Construction Plan (Regulated / Small)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Erosion & Sediment Control Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lot merger application (\$645.46 deposit)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lot line adjustment application (\$1,129.55 deposit)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Covenant agreement (deferral of frontage improvements)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dedication of right-of-way



Parking within street setback review (\$322.73)

Thank you,

Nick Bateman | Associate Planner

530-872-6291 ext. 423 | nbateman@townofparadise.com



NOTICE OF EXEMPTION

TO: File – [PL21-00090]; AP No. 050-200-157-000
FROM: Town of Paradise, Community Development Department,
Planning Division, 5555 Skyway, Paradise CA 95969

PROJECT TITLE: D. Munjar Conditional Use Permit

PROJECT APPLICANT: Doug Munjar

PROJECT LOCATION: 6480 Clark Road , Paradise CA 95969

PROJECT DESCRIPTION: Proposed establishment of a garden center to sell bulk soils and landscaping materials. The project would include the placement of a 320 Square foot mobile office on a permanent foundation and 29 concrete corrals for materials.

APPROVING PUBLIC AGENCY: Town of Paradise

PERSON OR AGENCY CARRYING OUT PROJECT: Applicant & Owner: Doug Munjar & WLM Construction, Inc.

EXEMPT STATUS:

- ☐ General Rule Exemption (Section 15061)
- ☐ Ministerial (Section 15268)
- ☐ Emergency Project (Section 15269)
- ☒ Categorical Exemption
Section 15303; Class 3

REASON FOR EXEMPTION: New Construction under 2,500 square feet in size.

CONTACT PERSON: Susan Hartman, Planning Director
(530) 872-6291

SIGNATURE: 

Planning Director

Date: August 23, 2021



TOWN OF PARADISE APPLICATION FOR CONDITIONAL USE PERMIT

[Project Number (to be filled by town staff): PL ____ - ____]

Applicant Doug Munjar/Phil Anthony/Rancho Engineering Email greenstrucking1@gmail.com / ranchoengineering@gmail.com

Phone 530-518-9077/530-815-8141/530-877-3700

Mailing Address P.O. BOX 127 Paradise, CA 95969

Applicant Interest in Property (Owner, Lessee, other) Lessee/Engineer

(If applicant is *not* the property owner, the owner's signature or owner-signed letter of authorization *must* accompany this application)

Owner WLM Construction Inc.

Phone 530-520-5178

Owner mailing address P.O. BOX 2035, Paradise, CA 95967

Property Address 6480 Clark Road

Parcel Acreage 2.4 Acres

Engineer (Name, Address) Jarrod Holiday, P.E. 6067 Skyway, Paradise, CA 95969

Phone 530-877-3700

Engineer Phone 530-877-3700

Email ranchoengineering@gmail.com

AP Number(S) 050-200-157

Zone CC

Existing Use N/A

Detailed project description (Attach additional sheets if necessary)

See Attached

Approximate no. yards cut and fill 40 yds.

Radial distance to nearest billboard N/A

Sq. ft. of proposed structure/project 320 sqft.

Percent increase in area of structures on site (i.e., a 250 Sq. Ft. addition to a 1,000 sq. ft. building = 25%) 100% (320 sqft)

Distance to nearest fire hydrant 75'

Distance from centerline 50' to office building

Days of operation 7

Hours of operation 7am-7pm

Proposed no. of employees 1-2

Residential Density N/A

Max. Occupancy 6

Max. height of proposed structure 11.5'

Describe exterior design and finish (attach additional sheets if necessary)

Pre-manufactured office building w/ T-11 siding and wood trim. Office to have axles and tongue removed to install on permanent foundation. See attached elevations.

Method of sewage disposal New Septic System

Is the proposed project site considered sensitive for archaeological resources? Yes ____ No X (Please consult staff.)

(Note: If yes, please submit payment of fees to the Northeastern Information Center for an archaeological records inventory search)

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENTS AND ATTACHED PLOT PLAN ARE TRUE, ACCURATE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Applicant's Signature [Signature]

Date 6/8/21

Property Owner's Signature [Signature]

Date 6-08-21

(If applicable)

PLEASE ALLOW 6-8 WEEKS FOR PROCESSING; LONGER IF THE PROJECT IS SUBJECT TO ENVIRONMENTAL REVIEW

Note: By signing this application form, the applicant is indicating that the project site is not included on any State or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, effective July 1, 1987.

Detailed description:

The proposed development of the 2.4 acres will create a garden supply center. The intent for the development is to provide a location for the public to purchase soil, rock and other landscape materials in bulk and in a U-Haul fashion where the garden center employee will use a front loader to load the material into the customers truck and or trailer.

The initial development consists of the installation of a 10' X 32' Modern Building Systems prefabricated sales office building with an ADA compliant restroom. The building will be installed on a permanent foundation with front sidewalk allowing for ADA compliant entrance to the building from the ADA parking which is also tied to the public access sidewalk along Clark Road. To accompany the new office building a trash enclosure will also be provided for the storage of trash totes serving the new structure and as well as a new septic system to support the ADA restroom. The initial garden supply stock will consist of (24) 10' W X 15' D X 5' tall bins and (5) 30' W X 30' D X 5' tall bins for the stocking of garden material to be sold. The bins will consist of precast concrete stackable divider blocks.

All drive surfaces of the site shall be a compacted gravel base with a design section meeting emergency vehicle loading. All drive paths throughout the site are to meet width and turning radius requirements of Firetruck access. These drive surfaces in their entirety will be graded to direct any storm water to a depressed area at the center of the rear portion of the project which will be left undeveloped to allow for infiltration of excess storm water of the site. In addition the frontage of Clark Road as well as the initial portions of the side lot lines will be provided with a landscape barrier.

August 25, 2021

TO: Nick Bateman, Associate Planner
Town of Paradise
5555 Skyway
Paradise, CA 95969

From: Doug Munjar

RE: Conditional Use Permit (PL21-00090), AP No. 050-200-157

In regards to the letter dated August 13, 2021, requesting a further detailed description of product deliveries and dust control measures.

Regarding product deliveries (a):

Description of product deliveries: The deliveries would be for aggregate and would come by semi-trucks which would be unloaded on the property in a designated area as to not impeded the flow of traffic or cause any unnecessary distractions or obstacles to traffic.

How often would deliveries occur? Deliveries would be made as needed; traffic flow might be heavier than normal during the stocking processes but due to the distance of the quarries from the yard I can only anticipate approximately no more than 4 trucks per hour during this process. After the stocking process the number of deliveries just depends on the success of the business and the availability of trucks and products.

When would the deliveries occur? The deliveries would occur during normal business hours Monday through Friday since most of our vendors are closed on weekends.

Regarding dust control measures (b);

Description of dust control measures: we plan on covering the entire yard in an aggregate base so that the exposed dirt is covered and dust is greatly mitigated.

What dust control measures will be used for deliveries and during normal operations? We have a water truck that will be on site to water the yards roads and inventory as well as to control the dust from the products during the unloading process. Additionally, the product storage bins will be plumbed with a sprinkler system to control dust.

I hope these responses addressed any concerns you might have regarding these issues.

Sincerely

Doug Munjar

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: October 19, 2021**

FROM: Susan Hartman, Community Development Director **AGENDA NO. 5(b)**
SUBJECT: Lupine Tentative Subdivision Map Application (PL20-00259)
DATE: October 13, 2021 **AP 054-181-051**

GENERAL INFORMATION:

Applicant: Butte Construction Co. (Nick Starnes)
8 Seville Ct, Ste 100
Chico, CA. 95928

Location: 5389 Newland Rd, southeast Paradise, CA

Requested Action: Town approval of a tentative subdivision map application for a residential subdivision of real property into ten lots and a remainder lot to accommodate residential development.

Purpose: To accommodate medium to low density single-family residential lots.

Present Zoning: Rural Residential ½-acre minimum (RR 1/2) and Town Residential 1/3-acre minimum (TR-1/3)

General Plan Designation: Rural Residential (RR) and Town Residential (TR)

Existing Land Use: Vacant fire damaged residential property

Surrounding Land Use:

North:	Newland Road
East:	Vacant fire damaged residential parcel
South:	Vacant fire damaged mobile home park
West:	Vacant fire damaged residential parcel & Bennett Road (private road easement)

Parcel Size: ±6.40 acres

CEQA Determination: Mitigated Negative Declaration

Other: An appeal of the Planning Commission's decision can be made within ten (10) 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

PROJECT INFORMATION:

The proposed Lupine Subdivision project applicant has requested a tentative subdivision map approval to divide the +/-6.40-acre property located at 5389 Newland Rd, just west of Fire Station 82, into ten (10) resultant lots for residential use and one remainder lot (a no-build site) on the north side of Newland Road. The subdivision is proposed to be developed in a single phase. It is land previously referred to as "Clear Creek Estates Subdivision Phase II", a tentatively approved 10-lot subdivision in 2005 that was never recorded before eventually expiring. Lupine Subdivision is very similar, though not exact, in its design as the previously reviewed and approved Clear Creek Estates Subdivision.

The project site possesses +/-390 lineal feet of public street frontage along the south side of Newland Road. Proposed access for lots #1-10 would be provided via a newly established internal roadway construction to a private [A3-a] road standard consisting of a 20' wide paved road surface, within a 50' private road easement, along with the installation of a 6-inch diameter water main extension connecting to the existing water main beneath Newland Road. Along both sides of the road will be a bio-retention basin for the treatment of stormwater runoff created by the project. Road construction activities associated with the project will result in the felling of several burn scarred native pine and oak trees.

The proposed method of sewage disposal for the subdivision shall be the future establishment of individual septic systems upon each separate lot, each of which has been approved for a three (3) bedroom septic capacity. Other subdivision improvements include but are not limited to: a) the extension and installation (both on- and off-site) of water mains are part of the PID community domestic water supply system; b) the installation of properly spaced fire hydrants; c) the creation of stormwater facilities; and d) the extension and installation of underground utilities (ex. Cable TV, electric, gas, telephone, etc.).

For a more detailed project description and additional analysis, please refer to the initial study and proposed mitigated negative declaration document prepared for this project.

ANALYSIS:

As referenced above, staff has prepared a proposed mitigated negative declaration concerning the proposed project. That document identifies necessary mitigations and project conditions designed to reduce potential environmental effects to an insignificant level. Thus, if mitigated prudently, the project should not result in direct and significant adverse effects upon the existing environmental setting. The proposed environmental document was made available for local public review, and, as of the date of preparation of this staff report, no written comments have been filed with the department office.

If conditionally approved by the Planning Commission as recommended, the proposed project would be consistent with the goals and land use policies of the Paradise General Plan; and should also be compatible with existing zoning as well as surrounding land

uses. Town staff recommends project approval; however, several specific issues have been identified that need to be addressed with project conditions and/or mitigations in order to promote orderly and safe development of this area of the Paradise community.

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project, **as mitigated and conditioned**, will not result in any significant adverse effects on the environmental, and adopt the mitigated negative declaration prepared by staff for the Lupine Subdivision project.
- b. Find that the proposed subdivision, **as mitigated and conditioned**, together with its provisions for its design and proposed improvements, is consistent with the goals and policies of the 1994 Paradise General Plan, the State Subdivision Map Act, and the Town's subdivision ordinance.
- c. Find that the proposed project, **as mitigated and conditioned**, is compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare because the resulting sizes and uses of the lots would be compatible with adjacent properties, and adequate infrastructure would be in place to serve the proposed lots.
- d. Find that the private and public infrastructure improvements assigned to the proposed project are necessary to promote orderly and safe development of the area; and need to be completed prior to or at the time the final subdivision map is recorded.
- e. Find that the project, **as mitigated and conditioned**, will not detrimentally effect existing plant and animal life in the project vicinity for the following reasons:
 - 1. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 - 2. The project site is located within an area that has been altered by decades of residential and agricultural development.

RECOMMENDATION:

MOVE TO:

- a. Concur with the Town of Paradise mitigated negative declaration and initial study for the Lupine Subdivision tentative subdivision map (PL20-00259) project.
- b. Adopt the required findings as provided by staff and approve the proposed **"Lupine Subdivision"** tentative subdivision map (PL20-00259) application subject to the following conditions and mitigations:

**CONDITIONS TO BE MET PRIOR TO RECORDATION
OF FINAL SUBDIVISION MAP**

ROADS/ACCESS

1. Prepare and submit three (3) copies of a detailed and engineered street and drainage improvement plans to the Public Works Department (Engineering Division) for review and approval by the Town Engineer. Approval of the designed improvement plans by the Town Engineer must be secured **PRIOR TO COMMENCEMENT** of project improvements construction.
2. Construct a full street section along the entire Newland Road street frontage of the project site to the town-adopted B-4 road standard in a manner deemed satisfactory to the Town Engineer.
3. Apply for and secure town issuance of an encroachment permit for the proposed project roadway access connection to Newland Road for all work in the Newland Road right-of-way including the appropriate bonding and insurance certificates.
4. Establish a project interior fifty-foot minimum width private road easement as proposed; and construct full street section improvements within the road access instrument to the town-adopted A3-a road standard. Private road grades shall not exceed thirteen (13) percent per Town of Paradise Resolution No. 06-09.
5. Construct a paved forty-foot radius cul-de-sac bulb turnaround within a fifty-foot radius easement located at the terminus of the proposed cul-de-sac.
6. Apply for and secure town approval for new private road name. Place the approved name of the proposed road upon the final map.
7. Street signs shall be provided by the developer at the intersection of Newland Road and the new access roadway conforming with Butte County sign standard S-12-A.
8. The project developer shall install appropriate stop signs and other traffic signs and thermoplastic pavement markings as determined by the Town Engineer and in accordance with generally acceptable engineering practices.
9. Provide a road maintenance agreement for the proposed private road satisfying Engineering Division requirements. **(mitigation)**

DRAINAGE

10. The proposed Post Construction Standards Plan and Drainage Analysis dated February 4, 2021 is conceptually approved. Any modifications to the map shall trigger commensurate updates to these documents. A final Operations and Maintenance Plan shall be submitted to the Town before the project reaches completion.
11. Establish a fifteen-foot-wide drainage easement along the north boundary of Lot 7 as proposed and offer for dedication to the Town of Paradise.
12. Show limits of the Special Permit Zone, as depicted on the 1980 McCain Master Storm Drain Study, on the final map information data sheet.

UTILITIES

13. Satisfy all utility company requirements regarding the construction and installation of new utility facilities as well as relocation of existing utility facilities, including establishment and offer of dedication of public utility easements.
NOTE: All utilities are required to be placed underground in accordance with Paradise Municipal Code Section 16.11.020.

WATER SUPPLY

14. Prior to recordation of the final subdivision map, the project developer will be required to install a new water main within Newland Road from an existing valve in Newland Road, near South Libby Road, extending westerly to the project site and across the entire extent of the subject property's Newland Road frontage.
(mitigation)
15. Installation of a water main valve providing a future connection point to the new water main within Newland Road will be required at a location near the north end of the Bennett Road right-of-way. **(mitigation)**
16. Meet all other project requirements of the Paradise Irrigation District (PID) regarding the installation of water main extensions, payment of development fees, etc. in accordance with the letter from PID staff dated March 1, 2021 and on file with the Town Community Development Department.

FIRE PROTECTION

17. Establish minimum required fire flow via fire hydrant(s) installation, water main extension(s) and installation, etc. Infrastructure improvements (water supply and fire hydrants) shall be completed and fire flow available prior to recordation of the final map.

18. The project developer shall execute and record an agreement with the Town of Paradise binding future subdivision property owners to a fuel modification and maintenance plan. **(mitigation)**
19. Meet all other requirements of the Paradise Fire Department in accordance with the Paradise Fire Department project review memorandum dated February 26, 2021 for the Lupine Subdivision and on file with the Town Community Development Department.

SANITATION

20. Satisfy all requirement of the Town of Paradise sewage disposal regulations concerning the design of the final subdivision map.

SITE DEVELOPMENT

21. Prior to the start of any site improvements construction and/or earthwork activities on the site, submit and secure Town Engineer approval of an engineered soils erosion, sedimentation prevention and dust emission control plan for the project. All activities associated with project development shall be conducted in compliance with all control and prevention measures outlined in the approved plan.
22. Apply for and secure Town issuance of a grading permit satisfying all Engineering Division requirements and the current adopted edition of the California Building Code. Pay applicable grading permit fees per current fee schedule.
23. This project will be subject to filing a Notice of Intent (NOI) with the Regional Water Quality Control Board and preparation of a Storm Water Pollution Prevention Plan (SWPPP). Provide evidence of an issued WDID# prior to commencement of work.
24. Access to lots for ingress, egress and public utilities shall be reserved and shown on the final map.
25. All easements of record shall be shown on the final subdivision map.
26. Indicate on the final subdivision map a fifty-foot building setback line measured from the centerline of Newland Road and a thirty-foot building setback line measured from the center of the interior fifty-foot private road easement.

OTHERS

27. a) Establish a special assessment district (or comparable mechanism) affecting all lots created via recordation of the Lupine Subdivision final map to assure maintenance of the project's onsite private roadway, drainage facilities,

underground water main and affixed above-ground hydrants in a manner deemed satisfactory to the Town Attorney. **OR**

b) The subdivision project's onsite interior roadway, water main extension with related above-ground fire hydrant(s), and drainage facilities shall be built to appropriate public construction standards and offered for dedication to the Town of Paradise and the Paradise Irrigation District, respectively. **(mitigation)**

28. Place the following notes on the final map information data sheet:
 - a. "At the time of building permit issuance, lot owners 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 cease in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery." **(mitigation)**
 - c. "All lots identified in the Special Permit Zone will require an Elevation Certificate prior to development."
29. Provide documentation from the Butte County Tax Collector verifying payment of current property taxes and assessment liens imposed by the Town.
30. Provide monumentation as required by the Town Engineer complying with the State Subdivision Map Act and Town of Paradise standards.
31. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon areawide recreation facilities. Provide evidence of payment to the Town Community Development Department.
32. The project subdivider shall defend, indemnify, and hold harmless the Town of Paradise or its agents, officers, and employees from any claim, action or proceeding against the Town of Paradise or its agents, officers, or employees to attached, set aside, void or annul the Town of Paradise approval of the Lupine Subdivision if such action is brought forward within the time period provided in California Government Code Section 66499.37. The Town of Paradise shall promptly notify the subdivider of any claim, action or proceeding and shall cooperate fully in the defense. In the event that the Town of Paradise fails to promptly notify the subdivider of any claim, action or proceeding, or if the Town fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the Town of Paradise. Nothing contained within this condition prohibits the local agency from participating in the defense of any claim, action, or proceeding, if both the following occur: (1) The agency bears its own attorney's fees and costs; and (2) The agency defends the action in good faith. The subdivider shall not be

required to pay or perform any settlement unless the settlement is approved by the subdivider.

**LIST OF ATTACHMENTS FOR LUPINE SUBDIVISION
APPLICATION (PL20-00259)**

1. Project site vicinity map.
2. Notice sent to surrounding property owners and the Paradise Post for the October 19, 2021, public hearing.
3. Mailing list of property owners notified of the public hearing.
4. Approved Land Division Review letter from Onsite Sanitary Official Bob Larson dated January 15, 2021.
5. Comments received from Paradise Irrigation District representative Jim Ladrini dated March 1, 2021.
6. Comments received from Fire Prevention Inspector Chris Rainey dated February 26, 2021.
7. Comments received from PG&E Plan Review Team dated February 22, 2021.
8. List of recommended conditions of project approval received from Town Engineer Marc Mattox dated March 3, 2021.
9. Comments received from Police Chief Eric Reinbold dated February 17, 2021.
10. Initial study (environmental review document) and proposed mitigated negative declaration developed by staff for the project.
11. Completed tentative subdivision application submitted by Butte Construction Co. on September 8, 2020.
12. Tentative subdivision map for Lupine Subdivision.

TOWN OF PARADISE

Date: September 14, 2021

**NOTICE OF ENVIRONMENTAL DOCUMENT AVAILABILITY AND PUBLIC HEARING
TOWN OF PARADISE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, October 19, 2021 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following project:

Project title: Lupine Subdivision (PL20-00259)

Project location: 5389 Newland Rd, Paradise, CA; AP No. 054-181-051

Description of project: The project proponent is requesting Town of Paradise approval of the proposed subdivision of a 6.40-acre property zoned RR-1/2 (Rural Residential ½-acre minimum) into ten (10) lots and a remaining "other land" area zoned TR-1/3 (Town Residential 1/3-acre minimum).

**Address where document
may be viewed:**

Town of Paradise
Building Resiliency Center
6295 Skyway, Paradise, CA 95969

<https://www.townofparadise.com/planning/page/environmental-documents>

Public review period: ***Begins:** September 17, 2021
Ends: October 18, 2021*

The environmental document and project file are available for public inspection at the Development Services Department in the Building Resiliency Center. Any person wishing to respond to the proposed environmental document may file written responses no later than **October 18, 2021 at 5:00 p.m.** with the Paradise Development Services Department.

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 Planning Director at, or prior to, the public hearing. For additional information, please contact the Development Services Department at (530) 872-6291, extension 417.

Susan Hartman
Planning Director

Apn
Owner
Owner2
Street_Address
City_State_Zip

054-181-051-000
Phoenix Community Initiative
229 W 2nd Ave
Chico Ca 95926

054-080-077-000
Hayden Jeremy J & Jennifer C
Po Box 690
Rio Vista Ca 94571

054-080-078-000
Hayden Jeremy J & Jennifer C
Po Box 690
Rio Vista Ca 94571

054-151-035-000
Forest Glen Mhp Llc
3369 Somerset Ave
Castro Valley Ca 94546

054-151-036-000
Cuevas Living Trust
Cuevas James Paul & Heather C Trustees
12014 Ellery St
San Jose Ca 95127

054-151-037-000
Ernst Gregory Allen
P O Box 6357
Chico Ca 95927

054-151-056-000
York Leon V & Tammie L
3935 Morehead Ave
Chico Ca 95928

054-151-059-000
Esparza Desiree

Lupine Labels

054-151-065-000
York Leon V & Tammie L
3935 Morehead Ave
Chico Ca 95928

054-151-066-000
Lerossignol Sharon
Po Box 367
Paradise Ca 95967

054-151-067-000
White Rollin K & Auday Karen L
5544 Mark Ln
Paradise Ca 95969

054-151-073-000
Birdsall William D & Joanna T
1901 Dayton Rd 127
Chico Ca 95928

054-151-075-000
Wilson Frank
5547 Mark Ln
Paradise Ca 95969

054-151-094-000
Anderson Sheri
4260 Fieldstone Ct
Paradise Ca 95969

054-151-095-000
Hollinghurst Revocable Trust Agreement
C/O Hollinghurst Arthur & Arlene Trustees
5506 Highpoint Dr
Crestwood Ky 40014

054-151-096-000
Bash Craig Nicolas
4938 Hampden Ln
Bethesda Md 20814

054-181-002-000
Odell Markham E Revocable Trust
C/O Odell Markham E Trustee
1305 Howard Ct
Red Bluff Ca 96080

054-181-011-000
Ahrs Paradise Llc
14672 Colter Way
Magalia Ca 95954

054-181-012-000
Chin Kristine H Revocable Trust
C/O Chin Kristine H Trustee
4839 Pentz Rd
Paradise Ca 95969

054-181-026-000
Ahrs Paradise Llc
14672 Colter Way
Magalia Ca 95954

054-181-037-000
Drew Charlotte E Separate Property Trust
C/O Drew Charlotte E Trustee
1035 Sheridan St
Chico Ca 95926

054-181-039-000
Beller Marie Living Trust
C/O Beller Marie Trustee
1389 Cottage Ln
Paradise Ca 95969

054-181-040-000
Lauson Richard D
2400 University Ln #312
Cheney Wa 99004

054-181-045-000
Resendiz Ernesto & Sierra Julia
5575 Lightfoot Way
Paradise Ca 95969

054-181-046-000
Hazlitt Paula M
Po Box 1903
Graeagle Ca 96103

054-181-047-000
Khang Jourbee & True Y
3110 37th Ave
Sacramento Ca 95824

054-181-048-000
Smith Karen Ceceilia
Po Box 907
Paradise Ca 95967

054-181-049-000
Bernedo Patrick & Jill
4691 Cable Bridge Dr
Chico Ca 95928

054-181-050-000
Fox-Burns Jade
62 Tara Terrace Unit 1
Chico Ca 95973

Lupine Labels

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
6161 Clark Road Ste. 1
Paradise, CA 95969

Paradise Board of Realtors
PO Box 356
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
313 Walnut St., Ste. 140
Chico, CA 95928

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



Town of Paradise
Building Resiliency Center (BRC)
6295 Skyway, Paradise CA 95969
Telephone (530) 872-6291 ext 411 • Fax (530) 872-6201

ENGELDER GARY
P O BOX 8643
CHICO, CA 95927

1/15/2021

LAND DIVISION REVIEW

Permit Number:
Property Address:
AP Number:

OS20-05440
5389 NEWLAND RD
054-181-051-000

The Town has completed our review of the above referenced application for a land division review.
Please be advised of the following;

As per the engineers data submitted by your office, the proposed lots have the following wastewater treatment maximum capacities:

Lot 1 - 322 gpd Lot 2 - 308 gpd Lot 3 - 308 gpd

Lot 4 - 300 gpd Lot 5 - 313 gpd Lot 6 - 346 gpd

Lot 7 - 310 gpd Lot 8 - 337 gpd Lot 9 - 300 gpd

Lot 10 - 300 gpd

In addition to the above capacities, Lot 10 will require a "special design system" consisting of a capping fill for the wastewater disposal area.

Thank you for your participation in this effort to protect the public health of the Town of Paradise.

Sincerely,

Bob Larson
Onsite Sanitary Official
blarson@townofparadise.com
530-872-6291 ext. 109

cc: Susan Hartman, CDD Director – Planning & Wastewater



PARADISE IRRIGATION DISTRICT

6332 Clark Road * Paradise, California 95969 * Phone 530-877-4971 * Fax 530-876-0483

March 1, 2021
Town of Paradise
Susan Hartman
5555 Skyway
Paradise CA 95969

Subject: Phoenix Community Initiative, Proposed Tentative Subdivision Map , TSM Lupine Subdivision, PL20-000259, 5389 Newland Rd, APN 054-181-051.

Dear Ms. Hartman

Thank you for the opportunity to review the above referenced Tentative Subdivision Map. The following comments apply to the TSM as proposed.

1. A .75" water meter currently serves this parcel. The original service lateral for this parcel qualifies for replacement through the PID Service Lateral Replacement Project and will be replaced following the issuance of a building permit. In general, the service connection is replaced at its current location.
New resultant parcels indicated in this TSM will require a new service lateral, meter box, and water meter to be installed at each parcel. The service lateral and meter box shall be installed by the contractor. Payment of a Service Capacity Fee and Meter Installation Fee will be required at the time each meter is ordered. The meter shall be installed by the District once payment has been made. A credit for the Capacity Fee associated with the existing service connection shall be arranged with PID.
2. A 4" water main, located on Newland Road from South Libby Road currently provides water to the proposed subdivision site. Fire hydrant flows on this water main, in the project vicinity are substandard.
3. A future water main connection exists on Newland Road near South Libby Road. Developer shall be required to install a new water main on Newland Road from the above referenced location near South Libby Road to provide acceptable hydrant flows. Developer to coordinate with PID to make the connection to existing valve.
4. The proposed TSM creates 9 parcels that will not be contiguous to a PID water main. A water main extended from Newland Road through the project site will be required to provide service to these parcels. Contact the Town of Paradise for requirements related to fire hydrants.
5. Main line upgrades and extensions shall be constructed to District standards, at owner's expense, and must be approved by the District Board of Directors. The applicants engineer must demonstrate that the proposed water mains are sized to meet applicable standards for domestic water and residential fire flow use, and hydrant flows.

6. Paradise Irrigation District Improvement Standards, Section 202, states: "The Owner shall be responsible for construction of a complete improvement system... A complete system, as defined, shall extend the system across the entire extent of the Owner's property."
7. The applicant will be required to install a new water main in Newland Road from an existing valve in Newland Road near South Libby Road extending west to the project site and across the entire extent of the subject property's Newland Road frontage. Installation of a valve providing a future connection point, will be required at a location near the north end of the Bennett Road right of way. All water service connections and meters, approximately 21, currently served by the existing 4" water main shall be connected to new water main segment on Newland Road and shall remain in their current locations or relocated to locations prescribed by PID. Upon activation of the new installed water main and appurtenances, the existing 4" water main shall be permanently abandoned in coordination with PID.
8. The applicant will also be required to extend a water main along the proposed project road, from the newly installed water main in Newland Road extending to a location near the center point of the proposed cul-de-sac. A minimum 6" diameter water main will be required with fire hydrant(s) installed as required by the Town of Paradise.
9. A District water main is located in Bennett Road approximately 800 feet southwest of the subject property. Extension of this water main in a northerly direction along the Bennett Road right of way connecting to the distribution system at Newland Road would complete the water system in this area by creating a pipeline loop. Water mains configured in loops provide better water quality, higher flow volumes and greater reliability than dead end mains. Upon consideration of this project, District staff would recommend to the District Board of Directors, that the applicant be required to dedicate a pipeline easement to PID along the alignment of Bennett Road from Newland Road, in a southwesterly direction to a point near the south boundary of the subject property.

Please contact PID at 530-877-4971 if you have any questions regarding these comments.

Reviewed by:

Jim Ladrini

WATERWORKS ENGINEERS -Acting as PID District Engineer

530-514-9912

jiml@wwengineers.com

Cc. Al McGreehan, Town of Paradise
Tony Lindsey, Town of Paradise
Pete Grout, Paradise Irrigation District
Colleen Boak, Water Works Engineers



Town of Paradise

PARADISE FIRE & RESCUE

767 Birch Street, Paradise, CA 95969
www.townofparadise.com
(530) 872-6264



Development Review

Project Name: TSM Lupine Subdivision

Location: 5389 Newland Road

APN: 054-181-051

Applicant: Nick Starnes (Butte Construction Co.); Phoenix Community Initiative (Owner)

Project No. PL20-000259

Date of Plan Review: February 26, 2021

Review conducted by: Chris Rainey, Fire Prevention Inspector 2

The scope of project: Proposed subdivision of a 6.40-acre property zoned RR-1/2 (rural residential 1/2 acre min.) into ten lots and a remaining "other land" area zoned TR-1/3 (town residential 1/3 acre min.).

Development review was performed and the following comments were generated:

Fire Department Access:

1. Private residential, public residential, 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. Additional width requirements may be applied to individual projects as determined by the Fire Marshal.
2. Roadway cul-de-sac must be minimum ninety six (96) feet in diameter.
3. Roadways shall be extended to within one hundred and fifty (150) feet of all portions of the exterior walls as measured by an approved path of travel. An approved turn around shall be provided when the roadway exceeds one hundred and fifty (150) feet as directed by the Town of Paradise Fire Department. Fire Department turn around requirements shall be installed as directed.
4. 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.

5. 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.
6. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation. Gates serving multi-family, assembly, educational, hazardous, institutional, or storage structures must be automatic. Knox brand key-operated electric key switch to the Town of Paradise Fire Department and Police Department specification are required. The Knox switch shall override all gate functions and open the gate.

Fire Protection Systems

1. The required fire flow shall be 1000 gpm for a 2 hour duration at 20 PSI residual operating pressure for a 3,600 sq ft residence, a larger residence will require a greater flow in accordance with the California Fire Code. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow, documentation shall be provided showing financial arrangements have been made and water system improvement plans approved to upgrade the existing system prior to release of building permits.
2. Water improvement plans shall be approved by the Town of Paradise. The Developer shall furnish the Town of Paradise with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor.
3. Fire hydrant water mains that supply two (2) or more private fire hydrants shall be looped to provide adequate supply. Public water main looping is dictated by fire flow requirements and reliability of the public system.
4. The existing fire hydrant system is insufficient to provide the required fire flow. This system is required to be upgraded to meet the required fire flow as identified above.
5. Prior to combustibles being brought to the site, the developer shall provide written certification from the Water Purveyor, dated within the last thirty (30) days, that:
 - a. All public fire hydrants required of the project have been installed, tested, and approved by the Water Purveyor, and
 - b. Are permanently connected to the public water main system, and
 - c. Are capable of supplying the required fire flow as required by the Town of Paradise Fire Department.
6. Fire hydrants shall be painted per the Town of Paradise Fire Department standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.

Standard Fire Conditions:

1. All flammable vegetation shall be removed 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.

2. Street signs meeting the requirements of the Town standards shall be installed at all intersections prior to final occupancy approval. Temporary street signs shall be installed on 4x4x8 posts painted white with black letters at each intersection prior to combustibles being brought to the site for construction.
3. A fuel modification plan is required. An approved Fire Protection Consultant that specializes in these types of complex plans shall prepare the plan. Plans shall be submitted, reviewed and approved by the Town of Paradise Fire Department prior to issuance of building construction permits.
4. Prior to combustible construction the lot must meet the requirements of defensible space pursuant to the Public Resources Code 4291 and Paradise Municipal Code Chapter 8.58. An inspection will occur prior to foundation approval to ensure that these requirements have been met.

Thank you,
Chris Rainey
Fire Prevention Inspector 2
Town of Paradise
530-872-6291 x304

INFORMATION TABLE

Owner - Phoenix Community Initiative-
229 W. 2nd Avenue Chico
Location - 5389 Newland Road, Paradise, CA
APN - 054-181-051

Prepared By - Robertson Erickson Civil
Engineers August, 2020

Zoning - RR 1/2

NOTES

No structures are currently on this property.

All trees are to remain.

Existing Use-Vacant

Proposed Use-Residential

There is no existing off street parking.

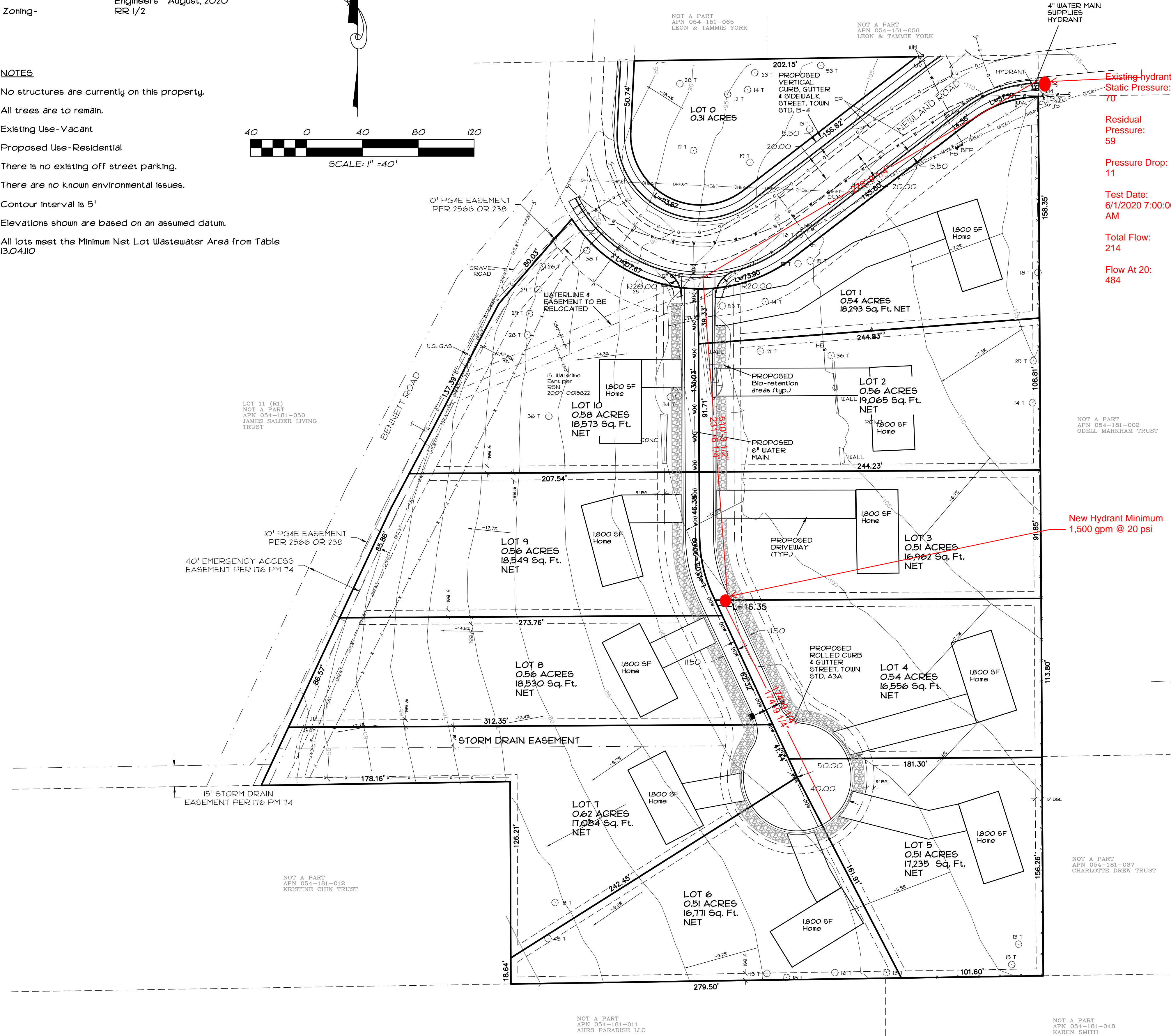
There are no known environmental issues.

Contour interval is 5'

Elevations shown are based on an assumed datum.

All lots meet the Minimum Net Lot Wastewater Area from Table
13.04.110

LUPINE SUBDIVISION



LEGEND:

- AREA DRAIN
- BACK FLOW PREVENTER
- CLEAN OUT
- DRAIN INLET
- FIRE HYDRANT
- GUY WIRE/ANCHOR
- JOINT POLE/ POWER POLE
- LIGHT
- MONUMENT
- SIGN
- SS MANHOLE
- TREE
- WATER METER
- WATER VALVE
- RECROD DATA PER 176-MAPS-73-75

- OHE&T
- SS
- SD
- G
- E
- W
- X
- 95.00
- EXISTING OVERHEAD ELECTRIC & TELEPHONE
- EXISTING SANITARY SEWER MAIN
- EXISTING STORM DRAIN
- EXISTING UNDERGROUND GAS
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND WATER
- EXISTING FENCE
- EXISTING EDGE OF PAVEMENT (EP)
- ELEVATION CONTOUR LINE
- EASEMENT LINE
- PROPERTY LINE

ABBREVIATIONS:

- | | | | |
|------|--------------------------|------|---|
| A.B. | AGGREGATE BASE | NTS | NOT TO SCALE |
| A.C. | ASPHALT CONCRETE | OHE | OVERHEAD ELECTRIC |
| AD | AREA DRAIN | PT | PERCOLATION TEST |
| ATT | TELEPHONE LINE | PIV | POST INDICATOR VALVE |
| BFP | BACK FLOW PREVENTER | PL | PROPERTY LINE |
| CO | CLEAN OUT | PP | POWER POLE |
| CONC | CONCRETE | PUE | PUBLIC UTILITY EASEMENT |
| DI | DROP INLET | RUL | RAIN WATER LEADER |
| DS | DOWNSPOUT | SD | STORM DRAIN |
| D/W | DRIVEWAY | SDMH | STORM DRAIN MANHOLE |
| E | ELECTRIC | SF | SQUARE FEET |
| EGR | EDGE OF GRAVEL ROAD | SS | SANITARY SEWER |
| EP | EDGE OF PAVEMENT | SSCO | SANITARY SEWER CLEANOUT |
| ES | ELECTRIC SERVICE | SSMH | SANITARY SEWER MANHOLE |
| EX | EXISTING | S/W | SIDEWALK |
| FDC | FIRE DEPT. CONNECTION | #T | TREE, # INDICATES DIAMETER AT BREAST HEIGHT |
| FH | FIRE HYDRANT | TC | TOP OF CURB |
| FL | FLOW LINE | TE | TRASH ENCLOSURE |
| G | GAS | TP | TELEPHONE POLE |
| GM | GAS METER | TS | TRAFFIC SIGNAL |
| GR | GRATE ELEVATION | TSB | TRAFFIC SIGNAL BOX |
| G5 | GAS SERVICE | TSP | TRAFFIC SIGNAL POLE |
| HB | HOSE BIB | TYP | TYPICAL |
| ICV | IRRIGATION CONTROL VALVE | W | WATER |
| IP | IRON PIPE | WB | WATER BOX |
| INV | INVERT OF PIPE | WM | WATER METER |
| L/S | LANDSCAPE | WV | WATER VALVE |

Existing-hydrant
Static Pressure:
70

Residual
Pressure:
59

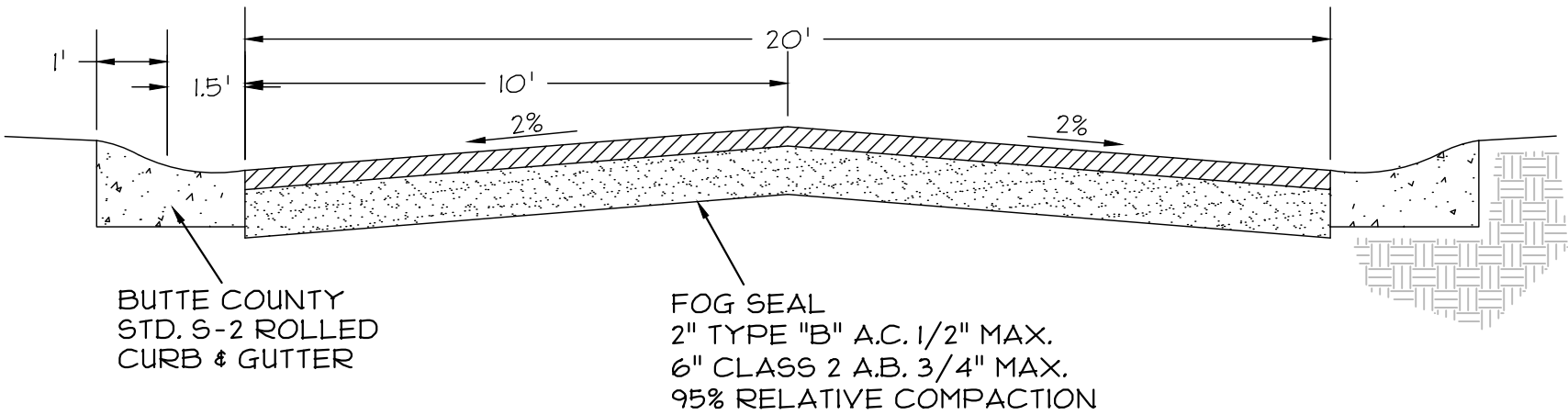
Pressure Drop:
11

Test Date:
6/1/2020 7:00:00
AM

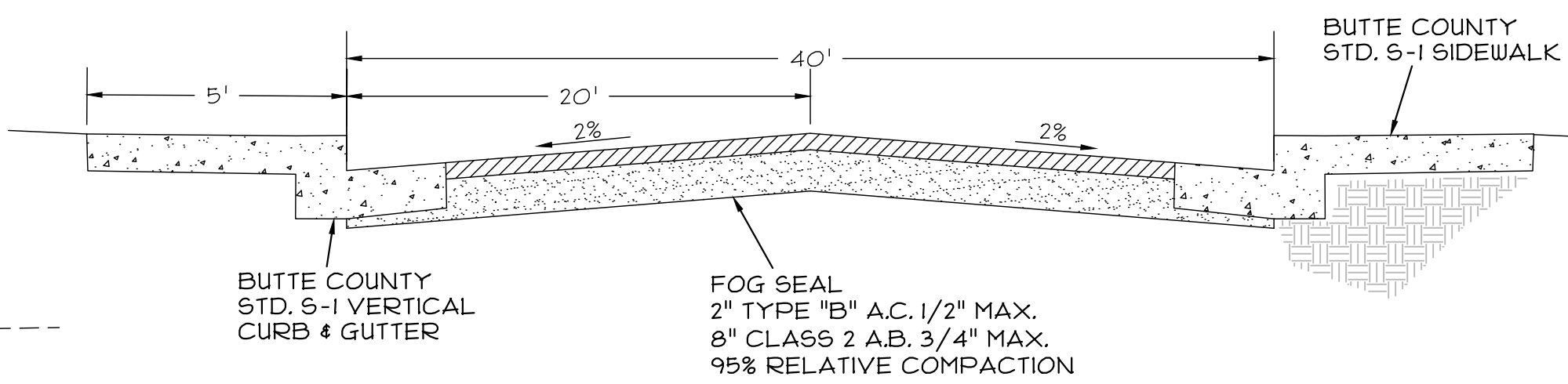
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214

Flow At 20:
484

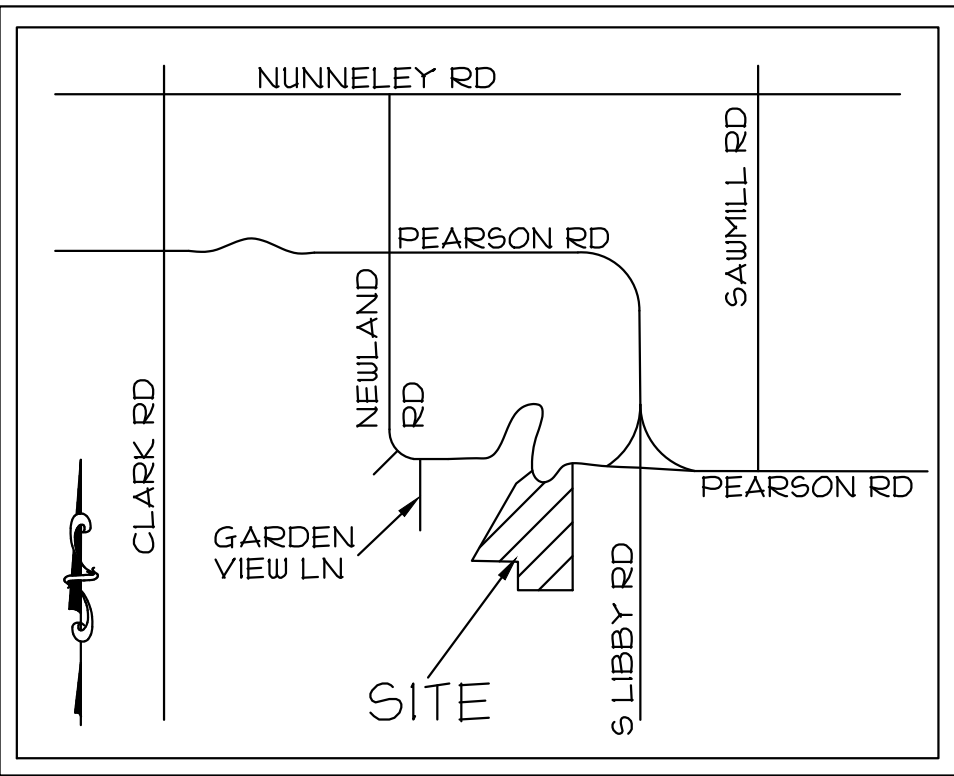
NOT A PART
APN 054-181-002
ODELL MARKHAM TRUST



TOWN OF PARADISE ROAD STANDARD A-3a
NTS



TOWN OF PARADISE ROAD STANDARD B-4
NTS

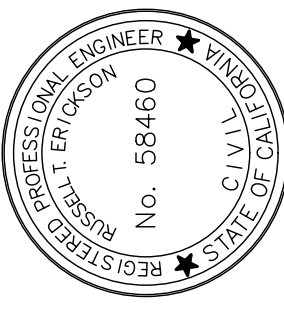


NTS
PARADISE, CALIFORNIA
VICINITY MAP

TENTATIVE SUBDIVISION MAP
FUTURE PHASE 2 LANDS 176-Maps-73
BUTTE CONSTRUCTION COMPANY

TPM

Robertson Erickson
CIVIL ENGINEERS & SURVEYORS



888 Manzanita Court
Suite 101
Chico, California 95926
530-894-3500 Fax 530-894-8955
robertsonerickson.com



February 22, 2021

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT
ATTN: Susan Hartman
5555 Skyway
Paradise, CA 95969**

Re: PL20-000259; TSM LUPINE SUBDIVISION

Dear Ms. Hartman:

Thank you for providing PG&E the opportunity to review your proposed plans for TSM LUPINE SUBDIVISION dated February 17, 2021. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

**PG&E Plan Review Team
Land Management**

Public Works Engineering Comments
Marc Mattox, Public Works Director/Town Engineer
March 3, 2021

1. Indicate/Maintain a 30-foot building setback line from the center line of the proposed private roadway.
2. All easements of record to be shown on the final parcel map.
3. Submit three copies of plans, pay appropriate fees, provide the appropriate bonds and insurance certificates and obtain encroachment permit for the improvements to Newland Road, drainage appurtenances and utility connection(s) onto Newland Road, construct to town standards and in accordance with generally acceptable engineering practices. Newland Road design standard is a B-4, 40-foot pavement width, curb, gutter and sidewalk.
4. Provide a road maintenance agreement for the proposed private road satisfying Engineering Division requirements, or provide a copy of a recorded road maintenance agreement fulfilling this requirement.
5. Place name of approved private access road upon final parcel map as approved by the Town Address Coordinator. Pay appropriate road name review fees.
6. Street signs shall be provided by the developer at the intersection of Newland Road and the new access roadway per the Butte County sign standard S-12-A.
7. Install STOP sign, thermoplastic stop bar and legend on private access roadway at Newland Road.
8. Provide 40-foot radius cul-de-sac with 50-foot radius easement at the end of proposed private road.
9. All utilities shall be placed underground.
10. Access to parcels for ingress and egress/public utilities shall be shown on final subdivision map.
11. Submit an Engineered Grading Plan and Erosion and Sediment Control Plan (ESCP) to the Town of Paradise Public Works Engineering Division for approval by the Town Engineer PRIOR to the start of any grading operations. Show all erosion control devices and sedimentation basins required by the PMC 15.04.280.
12. This project will be subject to filing a Notice of Intent (NOI) with the Regional Water Quality Control Board, and preparation of a Storm Water Pollution Prevention Plan (SWPPP). The Project must show proof of an issued WDID# prior to commencement of work.
13. The submitted Post Construction Standards Plan and Drainage Analysis dated February 4, 2021 is conceptually approved. Any modifications to the map shall trigger commensurate updates to these documents. A final Operations and Maintenance Plan shall be submitted to the Town before the project reaches completion.
14. Place a note on final map "At the time of building permit issuance, owner will be required to pay development impact fees in accordance with Paradise Municipal Code Chapter 3.40 and Resolutions 95-08 and 95-09 of the Town Council and any amendments thereto".
15. Provide a "Statement of Taxes" from the office of the Butte County Tax Collector.
16. Provide monumentation as required by the Town Engineer complying with the State Subdivision Map Act and Town of Paradise standards.

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**
5555 Skyway, Paradise, CA 95969

DEVELOPMENT REVIEW REQUEST

TO: Eng., Fire, Onsite, Police, Bus/Housing, PID, PRPD, PUSD & PG&E

FROM: Susan Hartman, Planning Director (872-6291 ext. 114)

REQUEST: Review and provide written comments

DESCRIPTION OF PROJECT: Proposed subdivision of a 6.40-acre property zoned RR-1/2 (rural residential ½ acre min.) into ten lots and a remaining "other land" area Zoned TR-1/3 (town residential 1/3 acre min.).

LOCATION: 5389 Newland Road

APPLICANT: Nick Starnes (Butte Construction Co.); Phoenix Community Initiative
[Owner] [Owner]

AP NOS.: 054-181-051

CONTACT PHONE: 894-3500 (Russ Erickson @ Robertson Erickson Civil Engineers)

DATE DISTRIBUTED: February 17, 2021

WRITTEN COMMENTS DUE BY: March 2, 2021

Town of Paradise
Community Development Dept

FEB 17 2021

RECEIVED

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

X YES _____ YES, WITH CONDITIONS _____ NO (EXPLAIN BELOW)

COMMENTS AND/OR RECOMMENDED CONDITIONS:

NO COMMENTS @ THIS TIME

[Signature]

Eric Reinhold
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
NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. **Description of Project:** Tentative Subdivision Map [PL20-00259]: Lupine Subdivision

Proposed tentative subdivision of a 6.40-acre property zoned RR-1/2 (rural residential ½ acre min.) into ten parcels and a remaining “other land” area zoned TR-1/3 (town residential 1/3-acre min.).
2. **Name and Address of Project Applicant:**

Matt Theide [Phoenix Community Initiative]
229 W. 2nd Avenue,
Chico, CA 95926
3. **The Initial Study for this Project was prepared on:** May 6, 2021
4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. An Environmental Impact Report will not be required.
5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Development Services Department, Building Resiliency Center, 6295 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.
6. Any person wishing to respond to this negative declaration may file written responses no later than **October 18, 2021 by 5:00 p.m.** with the Paradise Development Services Department, Town Hall, 5555 Skyway, Paradise, CA 95969, (530) 872-6291. The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.
7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: 

Susan Hartman, Planning Director

Date: September 13, 2021

INITIAL STUDY
FOR
TENTATIVE SUBDIVISION APPLICATION (PL20-00259)-LUPINE SUBDIVISION

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING**

**TENTATIVE SUBDIVISION MAP Application: LUPINE SUBDIVISION
PL20-00259**

PROJECT DESCRIPTION

The project proponent is seeking Town of Paradise approval for a tentative subdivision map application to divide a 6.40-acre property into ten parcels zoned RR-1/2 (rural residential, ½ acre min.) and a remaining “other land” area (parcel O) zoned TR-1/3 (town residential, 1/3-acre min.).

ENVIRONMENTAL SETTING

Location

The project site consists of a single property abutting the south side of Newland Road approximately 800 feet west of its intersection with South Libby Road in Paradise. The property is situated within the northwest quarter of the southwest quarter of Section 24, T22N, R3E, MDB&M; and is locally identified as assessor parcel number 054-181-051.

Land Use

The project site currently contains a fire damaged cargo container, a gravel driveway and cleared pads where two buildings were destroyed in the 2018 Camp Fire. The rest of the property consists of undeveloped land with scattered burn scarred pine and oak trees. Land use within the surrounding area of the project site consists of low density single-family rural residential land use.

Topography, Soils and Vegetation

Vegetation on the site primarily consists of a mixed age stand of ponderosa pine and black oak trees, a few native shrub species and seasonal grasses. The project area is situated at an approximate elevation of 1,750 feet above sea level and primarily drains to the west into Clear Creek, a perennial creek located near the western portion of the site and flowing north to south. Slopes on the property vary from nearly level to +/- 12%.

Soil on the project site is classified within the AD (Aiken Deep) soil series. AD soil generally exceeds five feet in depth and is considered as excellent for wastewater treatment. Soil found adjacent to Clear Creek and west of the project property is classified as TW-MA soil; and wastewater disposal can be difficult and expensive in TW-MA soil.

Public Services

Services and facilities presently available or potentially available to the project site include but are not limited to the following listing:

Access:	Newland Road (public street) & proposed interior private road
Communications:	AT&T Telephone/ Comcast Cable Services
Electricity:	Pacific Gas and Electric Company
Public Safety:	Town of Paradise
Recreation:	Paradise Recreation and Park District
Schools:	Paradise Unified School District
Sewage Disposal:	Individual onsite septic tank/leachfield systems
Water Supply:	Paradise Irrigation District

PROJECT DETAILS

The project applicant has submitted a tentative subdivision map application to divide the 6.40-acre property such that ten parcels would be created within the area zoned RR-1/2 and one “non-buildable” remaining parcel would be created within the land area north of Newland Road and currently zoned TR-1/3.

The project site possesses +/- 479 lineal feet of public street frontage along the south side of Newland Road. The project applicant proposes to construct public upgrade improvements embodying its Newland Road site frontage to the Town’s public B-4 street standard which will include roadway widening with vertical curb, gutter and sidewalk features. Proposed access for lots #1 through #10 would be provided via the proposed establishment of an internal roadway constructed to a private [A3-a] road standard, consisting of a 20’ wide paved road surface, along with an underground installation of a 6-inch diameter water main extension connecting to the existing underground water main beneath Newland Road. Road construction activities associated with the project will result in the felling of several burn scarred native pine and oak trees.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|--|--|
| 1. Name of Proponent | MATT THEIDE [Phoenix Community Initiative] |
| 2. Address and phone number of proponent | 229 W. 2 nd Avenue, Chico, CA 95926; (530) 570-9694 |
| 3. Date of checklist | May 3, 2021 |
| 4. Zoning and general plan designation | RR-1/2 & TR-1/3; (RR) & (TR) |
| 5. Name of proposal, if applicable | LUPINE SUBDIVISION-Tentative subdivision map [PL20-00259] |

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
1. LAND USE AND PLANNING. Would the proposal:					
a. Conflict with general plan designation or zoning?	1, 9				<u>X</u>
b. Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1				<u>X</u>
c. Be incompatible with existing land use in the vicinity?	11				<u>X</u>
d. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?	11				<u>X</u>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	11, 12				<u>X</u>
2. POPULATION AND HOUSING. Would the proposal:					
a. Cumulatively exceed official regional or local population projects?	1				<u>X</u>
b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	11, 12			<u>X</u>	
c. Displace existing housing, especially affordable housing?	11				<u>X</u>
3. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:					
a. Fault rupture?	1				<u>X</u>
b. Seismic ground shaking	1				<u>X</u>

		SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
c.	Seismic ground failure, including liquefaction?	1, 5, 7				<u>X</u>
d.	Seiche, Tsunami or volcanic hazard?	1, 10				<u>X</u>
e.	Landslides or mudflows?	7, 10				<u>X</u>
f.	Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	7, 11			<u>X</u>	
g.	Subsidence of the land?	5, 7				<u>X</u>
h.	Expansive soils?	7				<u>X</u>
i.	Unique geologic or physical features?	5, 11				<u>X</u>
4.	WATER. Would the proposal result in:					
a.	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	11, 12			<u>X</u>	
b.	Exposure of people or property to water related hazards such as flooding?	3, 10			<u>X</u>	
c.	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	11, 12			<u>X</u>	
d.	Changes in the amount of surface water in any water body?	11				<u>X</u>
e.	Changes in currents, or the course or direction of water movements?	11				<u>X</u>
f.	Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	11, 12				<u>X</u>
g.	Altered direction or rate of flow of groundwater?	11, 12				<u>X</u>
h.	Impacts to groundwater quality?	1, 12			<u>X</u>	
i.	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	1, 12				<u>X</u>
5.	AIR QUALITY. Would the proposal:					
a.	Violate any air quality standard or contribute to an existing or projected air quality violation?	11, 12, 13				<u>X</u>
b.	Expose sensitive receptors to pollutants?	11, 13			<u>X</u>	
c.	Alter air movement, moisture, or temperature, or cause any change in climate?	11, 12, 13				<u>X</u>
d.	Create objectionable odors?	11, 12			<u>X</u>	
6.	TRANSPORTATION/CIRCULATION. Would the proposal result in:					

		SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
a.	Increased vehicle trips or traffic congestion?	1, 10, 11			<u>X</u>	
b.	Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	11, 12				<u>X</u>
c.	Inadequate emergency access or access to nearby uses?	11, 12				<u>X</u>
d.	Insufficient parking capacity onsite and offsite?	11, 12				<u>X</u>
e.	Hazards or barriers for pedestrians or bicyclists	11, 12			<u>X</u>	
f.	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	1				<u>X</u>
g.	Rail, waterborne or air traffic impacts?	11, 12				<u>X</u>
7.	BIOLOGICAL RESOURCES. Would the proposal result in impacts to:					
a.	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	1, 6				<u>X</u>
b.	Locally designated species (e.g. heritage trees)?	1,6, 11				<u>X</u>
c.	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1, 6				<u>X</u>
d.	Wetland habitat (e.g. marsh, riparian and vernal pool)?	10, 11				<u>X</u>
e.	Wildlife dispersal or migration corridors?	1, 10, 11			<u>X</u>	
8.	ENERGY AND MINERAL RESOURCES. Would the proposal:					
a.	Conflict with adopted energy conservation plans?	1, 13				<u>X</u>
b.	Use nonrenewable resources in a wasteful and inefficient manner?	11, 12				<u>X</u>
c.	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1, 11, 12				<u>X</u>
9.	HAZARDS. Would the proposal involve:					
a.	A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	11, 12				<u>X</u>
b.	Possible interference with an emergency response plan or emergency evacuation plan?	1, 11, 12				<u>X</u>
c.	The creation of any health hazard or potential health hazard?	11,12				<u>X</u>
d.	Exposure of people to existing sources of potential health hazards?	11, 12				<u>X</u>
e.	Increased fire hazard in areas with flammable brush, grass or trees?	11,12			<u>X</u>	

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
10. NOISE. Would the proposal result in:					
a. Increases in existing noise levels?	11, 12			<u>X</u>	
b. Exposure of people to severe noise levels?	10, 11, 12				<u>X</u>
11. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:					
a. Fire protection?	4, 11, 12		<u>X</u>		
b. Police protection?	11, 12			<u>X</u>	
c. Schools?	12			<u>X</u>	
d. Maintenance of public facilities, including roads?	11, 12				<u>X</u>
e. Other governmental services?	1, 11, 12				<u>X</u>
12. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:					
a. Power or natural gas?	11, 12			<u>X</u>	
b. Communications systems?	11, 12				<u>X</u>
c. Local or regional water treatment or distribution facilities?	4, 11		<u>X</u>		
d. Sewer or septic tanks?	11, 12			<u>X</u>	
e. Storm water drainage?	3, 11, 12			<u>X</u>	
f. Solid waste disposal?	11, 12				<u>X</u>
g. Local or regional water supplies?	11, 12			<u>X</u>	
13. AESTHETICS. Would the proposal:					
a. Have a substantial adverse effect upon a scenic vista or scenic highway?	1, 11				<u>X</u>
b. Have a demonstrable negative aesthetic effect?	11, 12				<u>X</u>
c. Create light or glare?	11, 12			<u>X</u>	
14. CULTURAL RESOURCES. Would the proposal:					
a. Disturb paleontological resources?	2, 14				<u>X</u>
b. Disturb archaeological resources?	2, 14			<u>X</u>	
c. Affect historical resources?	2, 14				<u>X</u>

		SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
d.	Have the potential to cause a physical change that would affect unique ethnic cultural values?	2, 14				<u>X</u>
e.	Restrict existing religious or sacred uses within the potential impact area?	2, 14				<u>X</u>
15.	RECREATION. Would the proposal:					
a.	Increase the demand for neighborhood or regional parks or other recreational facilities?	1, 11, 12			<u>X</u>	
b.	Affect existing recreational opportunities?	11, 12			<u>X</u>	
16.	GREENHOUSE GAS EMISSIONS. Would the proposal:					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant effect on the environment?	11, 12, 13			<u>X</u>	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	11, 12, 13			<u>X</u>	
17.	MANDATORY FINDINGS OF SIGNIFICANCE.					
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					<u>X</u>
b.	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?					<u>X</u>
c.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probable future projects).					<u>X</u>
d.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?					<u>X</u>

**INITIAL STUDY
STATEMENT OF ENVIRONMENTAL EVALUATION
FOR**

**Tentative Subdivision Map Application [Lupine Subdivision]
PL20-00259**

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

1. **General Evaluation.** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project will not result in a significant adverse effect on the environment because the project will be subject to existing review, mitigation and permitting requirements that are identified and assigned which address any potential impacts identified within this initial study. The text that follows outlines a number of areas of potential environmental issues related to the project.

a. **Item 1 - Land Use and Planning.** If approved, the proposed project will result in the establishment of ten new and buildable parcels zoned Rural Residential ½ acre minimum, and one designed other land area “non-buildable” parcel zoned TR 1/3-acre minimum. The creation of ten additional vacant building sites is not deemed significant, because the proposed land use and parcel sizes are compatible with surrounding land uses and parcel sizes, and the project is consistent with the Paradise General Plan land use designation and zoning for the site. Therefore, impacts related to land use and planning are expected to be potentially less than significant and no mitigation measures appear to be necessary.

b. **Item 2 - Population and Housing.** As indicated above, the proposed project would create ten resultant and buildable parcels. Ultimately, upon full build-out and future occupancy, the zoning of the resultant parcels could accommodate the establishment of ten primary residences and a population increase of approximately 20-25 year-round residents based on an average of 2.19 residents per household as detailed in the 2014 Housing Element. Therefore, the impacts of this proposed project related to population and housing as a result of project approval are expected to be less than significant and no mitigation measures appear to be necessary.

c. **Item 3 - Geologic Problems.** The project site is located in an area of relatively low seismic activity and consequently has been accorded a category of low potential earthquake hazard (Paradise General Plan, Volume III, 1994). In addition, the well-structured soils (Aiken Deep) of the project site do not pose a threat of landslides,

mudflows or subsidence. In addition, any construction projects involving soils disturbance currently require an Erosion and Sediment Control Plan be submitted, and approved, by the Town Engineer prior to the issuance of building permits in accordance with the Town's Phase II MS4 NPDES General Permit issued by the State Water Board. Accordingly, no significant impacts related to geologic problems are anticipated. Therefore, impacts related to geologic problems are expected to be less than significant and no mitigation measures appear to be necessary.

- d. **Item 4 - Water.** The project site property is currently Camp Fire damaged and essentially undeveloped. If the tentative subdivision map application is approved, ten new residential building sites would be created on the project site.

Grading and land clearing activities associated with road, utility, and drainage improvements will disturb the physical environment of the project site, creating the potential for increased erosion. Construction activities upon the resultant parcels will create the potential for increased erosion and streambed siltation. In addition, the creation of impervious surfaces through compaction and overcovering (parking facilities developed, structures erected) of soil may alter drainage patterns, reduce absorption rates and increase the volume of storm water drainage from the site.

However, if the Lupine Subdivision map application is approved, the Town of Paradise will condition the project to require the submittal of a detailed soil erosion control plan approved by the Town Engineer prior to the conduct of construction activity associated with project site improvements. Additionally, storm water mitigation plans will be required prior to the issuance of building permits authorizing construction upon resultant parcels per the Town's Post-Construction Standards Plan dated July 2015. Accordingly, impacts related to increased erosion and streambed siltation are expected to be less than significant and no additional mitigation measures appear to be necessary.

- e. **Item 5 - Air Quality.** Town approval of the tentative subdivision map application could create the potential for less than significant adverse impacts to adjacent properties related to dust emissions generated during activities associated with construction of required site improvements. However, the Town of Paradise will condition the project to require the submittal of a detailed dust emissions control plan approved by the Town Engineer and/or the Butte County Air Quality Management District prior to the conduct of construction activity associated with required site improvements. Accordingly, no significant impacts regarding air quality are anticipated by staff.

- f. **Item 6 - Transportation/Circulation.** Primary access to the project site is currently provided by Newland Road, a paved public street. As designed and submitted, each

proposed new buildable parcel is to be provided roadway access connecting to Newland Road via the establishment of an interior fifty-foot wide road easement over portions of parcels #1 through #10 and the construction of an access road with a bulb cul-de-sac feature meeting the Town adopted A-3a private road standard.

Additionally, the project developer will reconstruct and upgrade the existing substandard full street section of Newland Road along the entire project property frontage to the Town adopted public B-4 street standard. These proposed improvements will include roadway widening with vertical curb, gutter and sidewalk features.

With the proposed project's site and abutting area improvements it is not anticipated that the project will result in any significant adverse impacts upon area transportation and traffic circulation due to the following reasons:

1. Resultant traffic sight distances along Newland Road will be good; and
2. Adequate and enhanced separation distances between existing encroachments along Newland Road will exist.

- g. **Item 7 - Biological Resources.** Review of the California DFW natural diversity data base information for the Paradise area reveals that no known rare, endangered or sensitive plant or animal species exist or inhabit the project site or its immediate vicinity. The entire project site is very characteristic of many existing vacant Camp Fire damaged areas in the Paradise community and does not appear to contain any unusual habitat or plant communities. It is not anticipated that the ultimate creation of ten new residential building sites will significantly displace area animal and plant populations. Therefore, no significant adverse environmental impacts to local animal populations are anticipated.
- h. **Item 8 - Energy and Mineral Resources.** Given the fact that the project is limited to the potential creation of ten new residential building sites, no significant loss or significant use of non-renewable resources is expected. In addition, any new residence and related buildings will be required to be constructed in accordance with current Town adopted California Building Code energy-efficiency standards.
- i. **Item 9 - Hazards.** Since no known areas of toxic contamination exist on or in the vicinity of the project site, the project should not involve exposure of people to potential health hazards. In addition, town approval of the tentative subdivision map application and the subsequent construction of residential improvements should not pose significant or unusual health risks associated with explosions or the release of toxic substances.

j. **Item 10 - Noise.** Any increases of existing noise levels would occur predominantly during the eventual construction of road and drainage improvements and future residential improvements. Such impact should be short term and should not be substantially adverse provided permissible community noise levels as established by the town's noise ordinance are not exceeded. As such, no significant impacts are anticipated and no mitigation measures appear necessary.

k. **Item 11 - Public Services.**

Fire Protection: Fire flow requirements are the responsibility of the Paradise Fire Department with cooperative actions implemented by the Paradise Irrigation District (PID) and local project developers. Project comments received from the Paradise Fire Department and the Paradise Irrigation District indicate that adequate fire protection cannot currently be provided to the proposed subdivision parcels with the existing nearby water mains, fire hydrants and water flow distributions system.

A 4-inch diameter underground water main located within Newland Road and extending westerly from its water main intersection at South Libby Road currently provides water to the proposed subdivision project site. Fire hydrant flows on this water main, in the project vicinity are substandard. In addition, the project property site is located within an area characterized by high wildland fire hazard while the project developer proposes establishment on an interior private roadway and water main extension system, no guaranteed maintenance is stated.

Relative to the prior stated circumstances, the following mitigation measures shall be assigned to the project, if approved:

Mitigation Measures:

1. Prior to recordation of the final subdivision map, the project applicant will be required to install a new water main within Newland Road from an existing valve in Newland Road near South Libby Road extending westerly to the project site and across the entire extent of the subject property's Newland Road frontage.
2. Installation of a water main valve providing a future connection point to the new water main within Newland Road will be required at a location near the north end of the Bennett Road right-of-way.
3. Prior to the recordation of the final subdivision map, the project developer shall execute and record an agreement with the Town of Paradise binding all future subdivision property owners to a fuel modification and maintenance plan meeting the

requirements of the Paradise Fire Department.

4. The project applicant shall establish a special assessment district (or comparable mechanism) affecting all lots created via recordation of the Lupine Subdivision final map to assure maintenance of the project's onsite private roadway, drainage facilities, underground water main and affixed above-ground hydrants in a manner deemed satisfactory to the Town Attorney. **OR**
5. The subdivision project's onsite interior roadway, water main extension with related above-ground fire hydrant(s), and drainage facilities shall be built to appropriate public construction standards and offered for dedication to the Town of Paradise and the Paradise Irrigation District, respectively.

Schools: Based upon a 0.39 student yield factor per new home, it is estimated that a potential increase of approximately four or five new students could ultimately be generated if all the proposed parcels were vacant and developed to their highest residential density potentially permitted in the RR 1/2 zoning district. Current revenues received from developers of new dwellings accounts for only a portion of the actual PUSD costs for permanent and interim school facilities, transportation, and also, administrative support facilities. However, the project site is zoned and designated in a manner that accommodates the proposed subdivision and the potential residential density for the project site.

Since the project does not propose the establishment of a higher residential density than is permitted by current zoning for the project site, impacts to local schools are not anticipated and therefore no significant adverse impacts related to schools are expected and no mitigation measures appear to be warranted.

I. **Item 12 - Utilities and Service Systems.**

Sewage Disposal: The mode of sewage disposal for each proposed parcel is to be provided via individual on-site wastewater treatment systems. Staff members of the Town of Paradise Wastewater division have carefully evaluated the project design along with the environmental characteristics of the project area and the characteristics of the project site. Wastewater division staff has determined that the project, as tentatively designed, displays compliance with the requirements of the Town of Paradise sewage disposal ordinance for the creation of new parcels. If approved, the project will be conditioned in a manner that is consistent with the requirements of Town sewage disposal regulations. Therefore, no significant adverse effect regarding sewage disposal is foreseen and no mitigation measures appear to be necessary.

Water Supply: The Paradise Irrigation District (PID) currently supplies water to the project site. It is not anticipated that a substantial amount of additional water usage

would occur as a result of project approval and the subsequent creation of ten additional building sites. Comments received from PID relative to this project indicate that the district's current substandard delivery facilities can serve the project through the required water system upgrades and extensions listed as mitigation measures under **Item 11 - Public Services**. Therefore, no additional mitigation measures appear to be necessary.

- m. **Item 13 - Aesthetics**. The project property is not situated in an area subject to any formal aesthetic or architectural review process, nor is the project site located within an officially designated scenic viewshed. Although the actual impact should be relatively minimal, the proposed project may produce new sources of light and potential glare associated with the eventual construction of residential improvements. It is not anticipated that these potential new light sources would be out of character with the existing rural residential setting or would adversely affect existing residences in the area. Any future impact is not anticipated to be significantly adverse, thus no mitigation is warranted.
- n. **Item 14 - Cultural Resources**. The project site is located within an area that is identified as being moderately sensitive for prehistoric, ethnographic, and historic cultural resources. In 2005 Town records indicate a subdivision project application [Clear Creek Estates] affecting this currently proposed project site was submitted, evaluated and conditionally approved. However, due to various factors and during multiple ensuing years the Clear Creek Estates project applicant was not successful with completing all subdivision project mitigations and conditions and subsequently the Town's subdivision map approval of this project **expired**.

In association with the prior Clear Creek Estates project application a written report of a thorough surface examination and a detailed archaeological survey of the property site was prepared by archaeologist John Furry and submitted for record with the Town of Paradise on August 4, 2005. The field survey described within this report did not result in the location or discovery of any archaeological or historic cultural resources. However, a possibility was discerned that ground-disturbing activities associated with future development of the project site property could result in the discovery of cultural resources.

Based upon these prior stated circumstances and recent field observations of this currently proposed Lupine Subdivision project, it is recommended that the Town adopt and assign the following mitigation measure:

Mitigation Measure:

1. The following note shall be placed upon the final subdivision map information sheet:

- a. "If any archaeological resources are uncovered during the course of future development or construction activities, all work shall cease in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery."

If the project is mitigated and conditioned accordingly, any impacts related to cultural resources are expected to be less than significant.

- o. **Item 15 - Recreation.** Approval of the tentative subdivision map application [Lupine Subdivision] will facilitate the creation of ten new residential building sites. The ultimate construction of new single-family residences will result in additional Paradise citizens that will utilize existing park and recreation facilities. This additional usage will contribute to an ongoing cumulative impact upon the existing park and recreation facilities. However, the Town subdivision ordinance requires land divisions to either set aside property or provide "in-lieu" funds to the local recreation district to offset the eventual added impact upon areawide park and recreation facilities.

In addition, the Paradise Recreation and Park District that services this area shall benefit by the imposition of development impact fees collected at the time of each resultant subdivision parcel residential buildout. Therefore, no significant adverse impacts related to local recreational opportunities are expected as a result of project approval.

- l. p. **Item 16 – Greenhouse Gas Emissions.** The main sources of greenhouse gasses for development projects are the combustion of fossil fuels from construction equipment, vehicle trips generated by the project, and from the subsequent on-going use of electricity and motor vehicles once the project is established. New development must adhere to a number of Town policies, building code requirements, development standards design guidelines, and standard practices that contribute to the reduction of greenhouse gasses. Below is a list of ministerial standards applied to this project which aid in implementing emissions reductions:
 - 1) Compliance with California's Title 24 Building Energy Efficiency Standards for Residential Building.
 - 2) Compliance with the Town's tree protection ordinance.
 - 3) Adherence to Butte County Air Quality Management District mitigation measures for construction sites (e.g., dust suppression measures, reducing idling equipment, maintenance of equipment per manufacturer specs, etc.).
 - 4) Diversion of 65% of construction waste.

In addition, future development of single-family dwellings will be designed with rooftop solar, in accordance with the California Building Code, which in turn will reduce the carbon emissions associated with the production of electricity.

The Town of Paradise does not have a Greenhouse Gas Reduction Plan. The project

does not conflict with any local plans, policies of regulations regarding greenhouse gas emissions. While it is acknowledged that increases in greenhouse gas emissions associated with future development of the site will occur, the site will be subject to numerous development regulations that will aid in implementing emissions reductions. Due to the small size of the site, the wastewater disposal limits on future development (a 3-bedroom single family residence on each of the 10 proposed building sites), and in consideration of the overwhelmingly vacant nature of the neighborhood due to the housing unit losses attributed to the 2018 Camp Fire, these increases will not rise to significant levels and no mitigation measures are deemed to be necessary.

2. **Mitigation Monitoring**

It shall be the responsibility of the project proponent to comply with any mitigation measures assigned to the project in a timely fashion. It shall be the responsibility of the Town of Paradise to ensure that the applicant successfully complies with any imposed mitigation measures at the appropriate milestones in the overall project review and development process.

IV. DETERMINATION.

On the basis of this initial evaluation:

1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. **A NEGATIVE DECLARATION WILL BE PREPARED.** ☒
3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐
4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐
5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. ☐



Susan Hartman
Planning Director for Town of Paradise

Date May 7, 2021

V. REFERENCES

1. Town of Paradise 1994 General Plan, Volumes I-III, Town of Paradise Community Development Department and Quad Consultants, October 1994.
2. Town of Paradise inventory map of archaeologically sensitive areas 1987, CSUC Anthropology Department.
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates.
4. Paradise Irrigation District water distribution map, 2010.
5. USGS topographic map: Cherokee Quadrangle, Calif., 1970.
6. California natural diversity database, California Department of Fish and Wildlife, 1990.
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992.
8. Town of Paradise General Plan Land Use Designation Map; October, 1994.
9. Town of Paradise Zoning Ordinance (Title 17 of the Paradise Municipal Code)
10. Town of Paradise General Plan Land Use Constraints Diagram; October, 1994.
11. Field Inspection of project site by planning staff, March 4, 2021.
12. Project subdivision application materials submitted to the Town of Paradise on February 17, 2021.
13. Butte County Climate Action Plan, adopted on February 25, 2014.
14. Archaeological survey report of project property prepared by archaeologist John Furry and filed with the Town of Paradise, August 4, 2005.

Initial Study

Prepared by: _____

Al McGreehan

Planning Consultant for Town of Paradise

DEPARTMENTAL USE ONLY

Receipt No. 48345

Fee _____

Project No. PL20-00259

TOWN OF PARADISE
APPLICATION FOR PARCEL MAP/TENTATIVE MAP

Applicant Nick Starnes Butte Construction Company Phone 530-809-1779Applicant's Mailing Address 8 Seville Court Chico, CA 95928Applicant's Interest in Property (Owner, Lessee*, Other*) Developer / Contractor

*If applicant is not the owner, owner's signature or signed letter of authorization must accompany this application.

Applicant's email address nick@butteconstructioncompany.co Fax _____Owner's Name Phoenix Community Initiative Phone 530-717-3615Owner's Mailing Address 229 W 2nd Avenue Chico, CA 95926Engineer (Name, Address) Russ Erickson Robertson Erickson Civil Engineers and SurveyorsEngineer Phone 530-894-3500 Fax 530-894-8955 Email Russ@robertsonerickson.ccProperty Address 5389 Newland Road Parcel Size 6.40 AcresAP Number(s) 054-181-051 Zoning RR 1/2Existing Use Vacant General Plan Designation _____APPLICATION FOR (Check one): _____ Parcel Map ☒ Tentative Map

Description of proposed land use of resultant parcels: _____

Develop property into 10 lotsParcel was created and recorded: Date 2/19/2009 Page 73-75 Volume 176 MapsNo. & size of parcels or lots being created: 10 parcels 0.50 to 0.56 AcresImprovements proposed: Curb, gutter and sidewalk, paving along Newland Road frontage.Curb gutter paved culdesac for access to lots

Tree planting or removal (approx. number): _____

Project associated with or to be a part of a larger project: NoDistance to natural water course or storm drain: 200'Proposed method of sewage disposal leach field Proposed source of water Paradise Irrigation District

Do power and telephone lines exist to the boundary of the original parcel? _____

YesName and distance to nearest public maintained street: Newland Road

If access is by a recorded private maintained street: _____

If access is recorded private road easement, give deed reference: _____

Land Division site located within "An Archeological Sensitive Area" (consult with town staff)? ____ Yes, ____ No
[NOTE: IF YES, PLEASE SUBMIT A CHECK WITH THIS APPLICATION IN THE AMOUNT OF \$150.00
MADE PAYABLE TO "NORTHEASTERN INFORMATION CENTER" FOR ARCHAEOLOGICAL
RECORDS INVENTORY SEARCH.]

Owner of this property now owns or previously owned land adjoining this property? ____ Yes ____ No

I hereby declare under penalty of perjury that the foregoing statements and the attached map(s) are true, accurate, complete, and correct to the best of my knowledge and belief.

Applicant's Signature  Date 08/03/20

Property Owner's Signature  Date 8/04/20

FROM DATE APPLICATION IS DEEMED COMPLETE, PLEASE ALLOW AT LEAST 8-10 WEEKS FOR
PROCESSING; LONGER FOR PROJECTS SUBJECT TO ENVIRONMENTAL REVIEW.

NOTE: By signing this application form, the applicant is indicating that the project site is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, effective July 1, 1987

J:\cdd\planning\forms\counter handouts\tpm-tsm
Revised: 8/10

INFORMATION TABLE

Owner - Phoenix Community Initiative-
229 W. 2nd Avenue Chico
Location - 5389 Newland Road, Paradise, CA
APN - 054-181-051

Prepared By - Robertson Erickson Civil
Engineers August, 2020

Zoning - RR 1/2

NOTES

No structures are currently on this property.

All trees are to remain.

Existing Use-Vacant

Proposed Use-Residential

There is no existing off street parking.

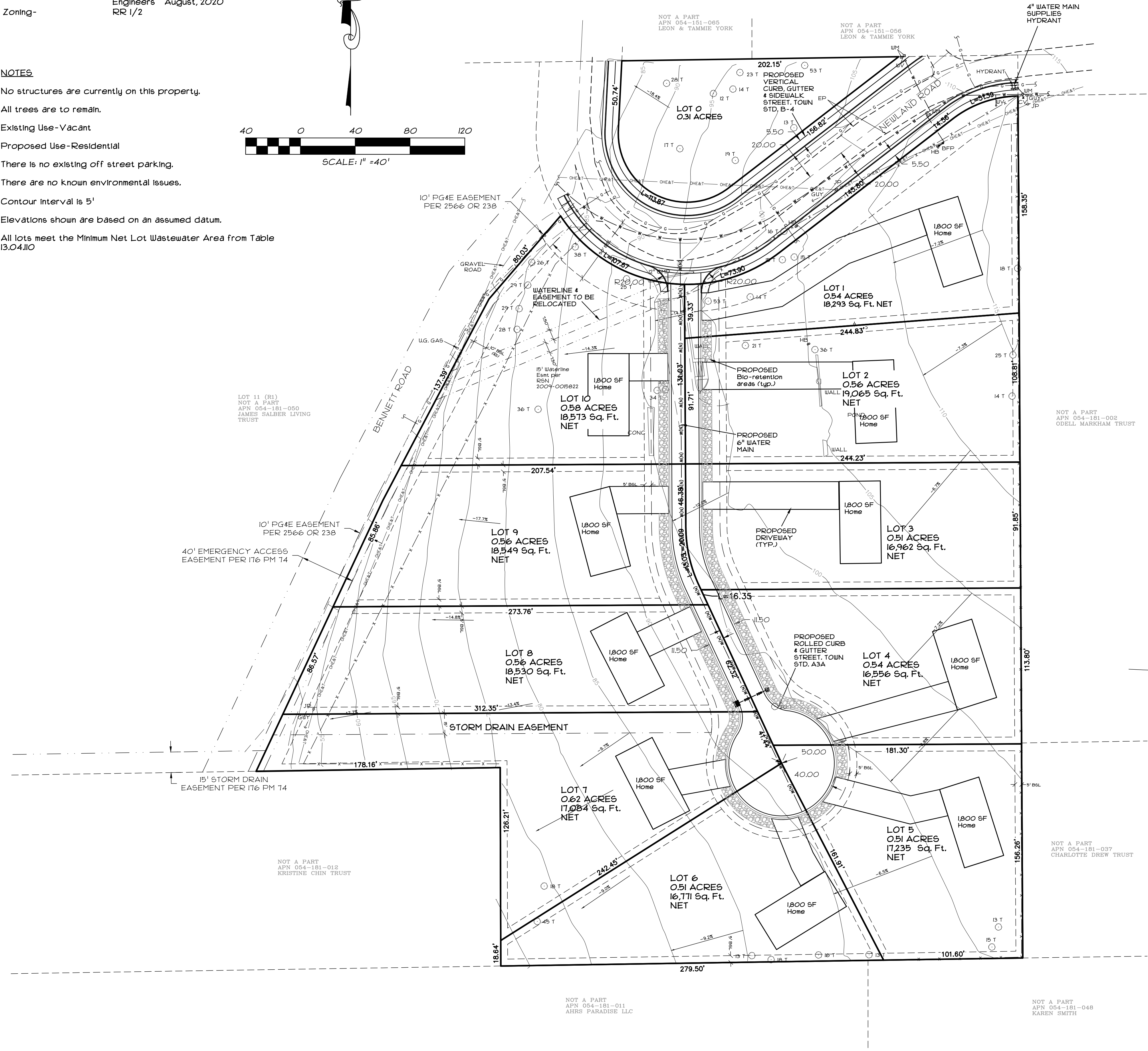
There are no known environmental issues.

Contour interval is 5'

Elevations shown are based on an assumed datum.

All lots meet the Minimum Net Lot Wastewater Area from Table
13.04.110

LUPINE SUBDIVISION

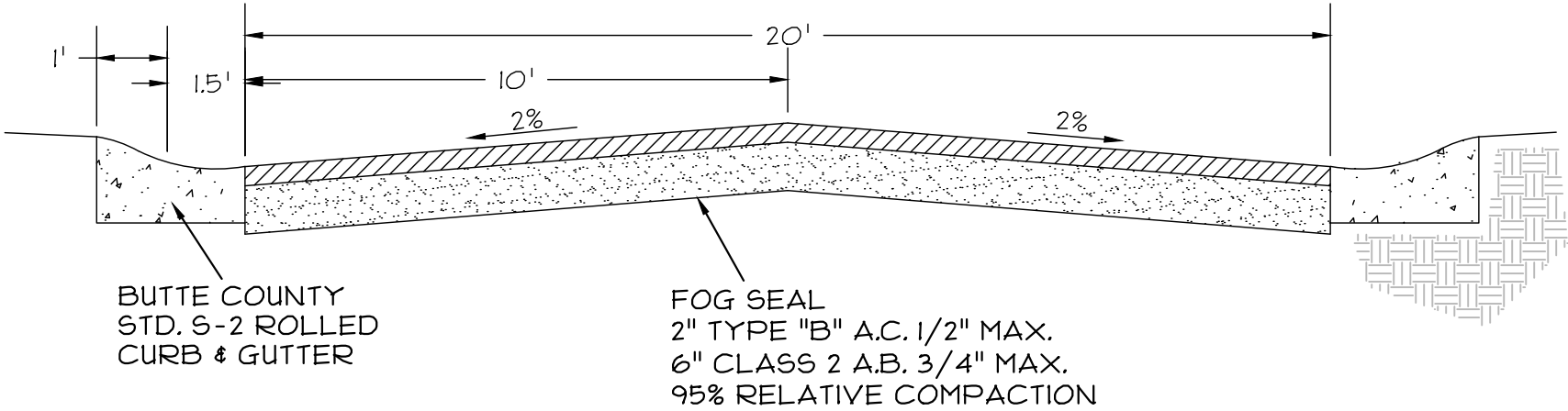


LEGEND:

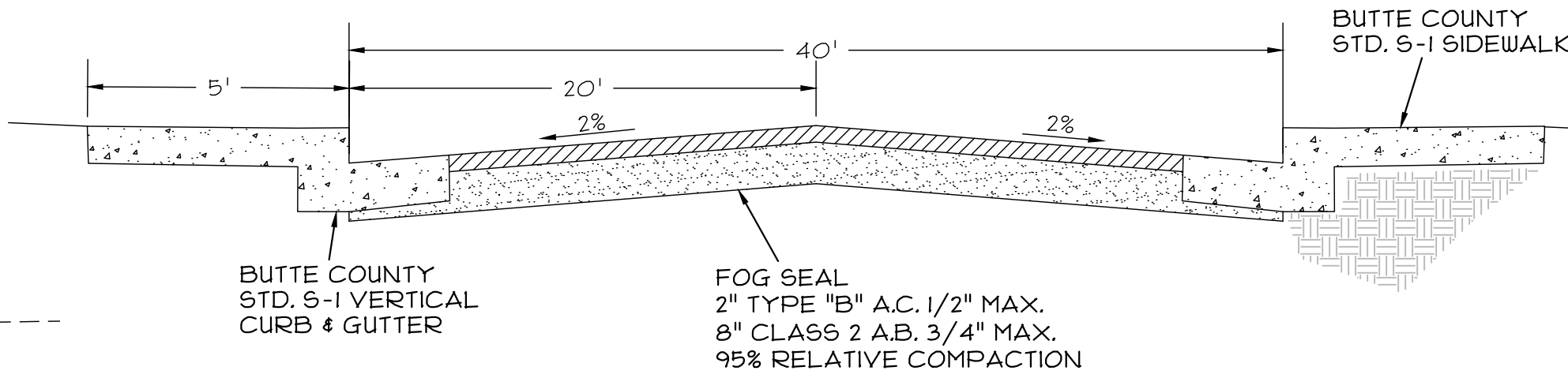
- | | | | |
|--|-----------------------------------|--|--|
| | AREA DRAIN | | EXISTING OVERHEAD ELECTRIC & TELEPHONE |
| | BACK FLOW PREVENTER | | EXISTING SANITARY SEWER MAIN |
| | CLEAN OUT | | EXISTING STORM DRAIN |
| | DRAIN INLET | | EXISTING UNDERGROUND GAS |
| | FIRE HYDRANT | | EXISTING UNDERGROUND ELECTRIC |
| | GUY WIRE/ANCHOR | | EXISTING UNDERGROUND WATER |
| | JOINT POLE/ POWER POLE | | EXISTING FENCE |
| | LIGHT | | EXISTING EDGE OF PAVEMENT (EP) |
| | MONUMENT | | ELEVATION CONTOUR LINE |
| | SIGN | | EASEMENT LINE |
| | SS MANHOLE | | PROPERTY LINE |
| | TREE | | |
| | WATER METER | | |
| | WATER VALVE | | |
| | RECROD DATA PER
176-MAPS-73-75 | | |

ABBREVIATIONS:

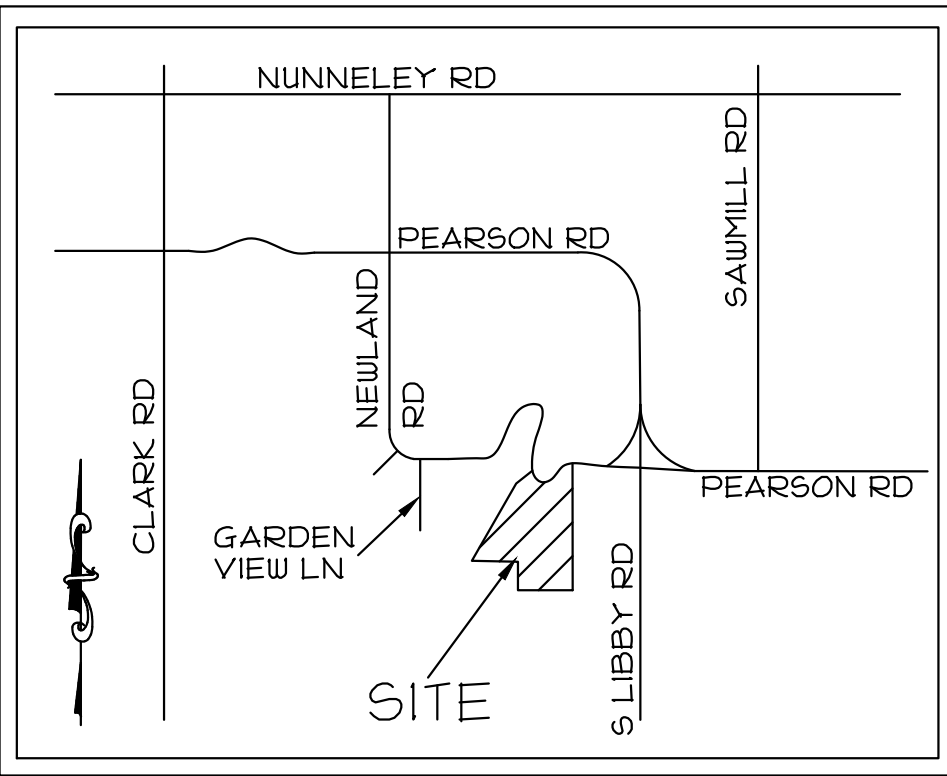
- | | | | |
|------|--------------------------|------|--|
| A.B. | AGGREGATE BASE | NTS | NOT TO SCALE |
| A.C. | ASPHALT CONCRETE | OHE | OVERHEAD ELECTRIC |
| AD | AREA DRAIN | PT | PERCOLATION TEST |
| ATT | TELEPHONE LINE | PIV | POST INDICATOR VALVE |
| BFP | BACK FLOW PREVENTER | PL | PROPERTY LINE |
| CO | CLEAN OUT | PP | POWER POLE |
| CONC | CONCRETE | PUE | PUBLIC UTILITY EASEMENT |
| DI | DROP INLET | RUL | RAIN WATER LEADER |
| DS | DOWNSPOUT | SD | STORM DRAIN |
| D/W | DRIVEWAY | SDMH | STORM DRAIN MANHOLE |
| E | ELECTRIC | SF | SQUARE FEET |
| EGR | EDGE OF GRAVEL ROAD | SS | SANITARY SEWER |
| EP | EDGE OF PAVEMENT | SSCO | SANITARY SEWER CLEANOUT |
| ES | ELECTRIC SERVICE | SSMH | SANITARY SEWER MANHOLE |
| EX | EXISTING | S/W | SIDEWALK |
| FDC | FIRE DEPT. CONNECTION | #T | TREE, # INDICATES DIAMETER AT
BREAST HEIGHT |
| FH | FIRE HYDRANT | TC | TOP OF CURB |
| FL | FLOW LINE | TE | TRASH ENCLOSURE |
| G | GAS | TP | TELEPHONE POLE |
| GM | GAS METER | TS | TRAFFIC SIGNAL |
| GR | GRATE ELEVATION | TSB | TRAFFIC SIGNAL BOX |
| G5 | GAS SERVICE | TSP | TRAFFIC SIGNAL POLE |
| HB | HOSE BIB | TYP | TYPICAL |
| ICV | IRRIGATION CONTROL VALVE | W | WATER |
| IP | IRON PIPE | WB | WATER BOX |
| INV | INVERT OF PIPE | WM | WATER METER |
| L/S | LANDSCAPE | WV | WATER VALVE |



TOWN OF PARADISE ROAD STANDARD A-3a
NTS



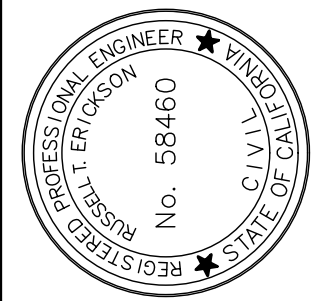
TOWN OF PARADISE ROAD STANDARD B-4
NTS



NTS
PARADISE, CALIFORNIA
VICINITY MAP

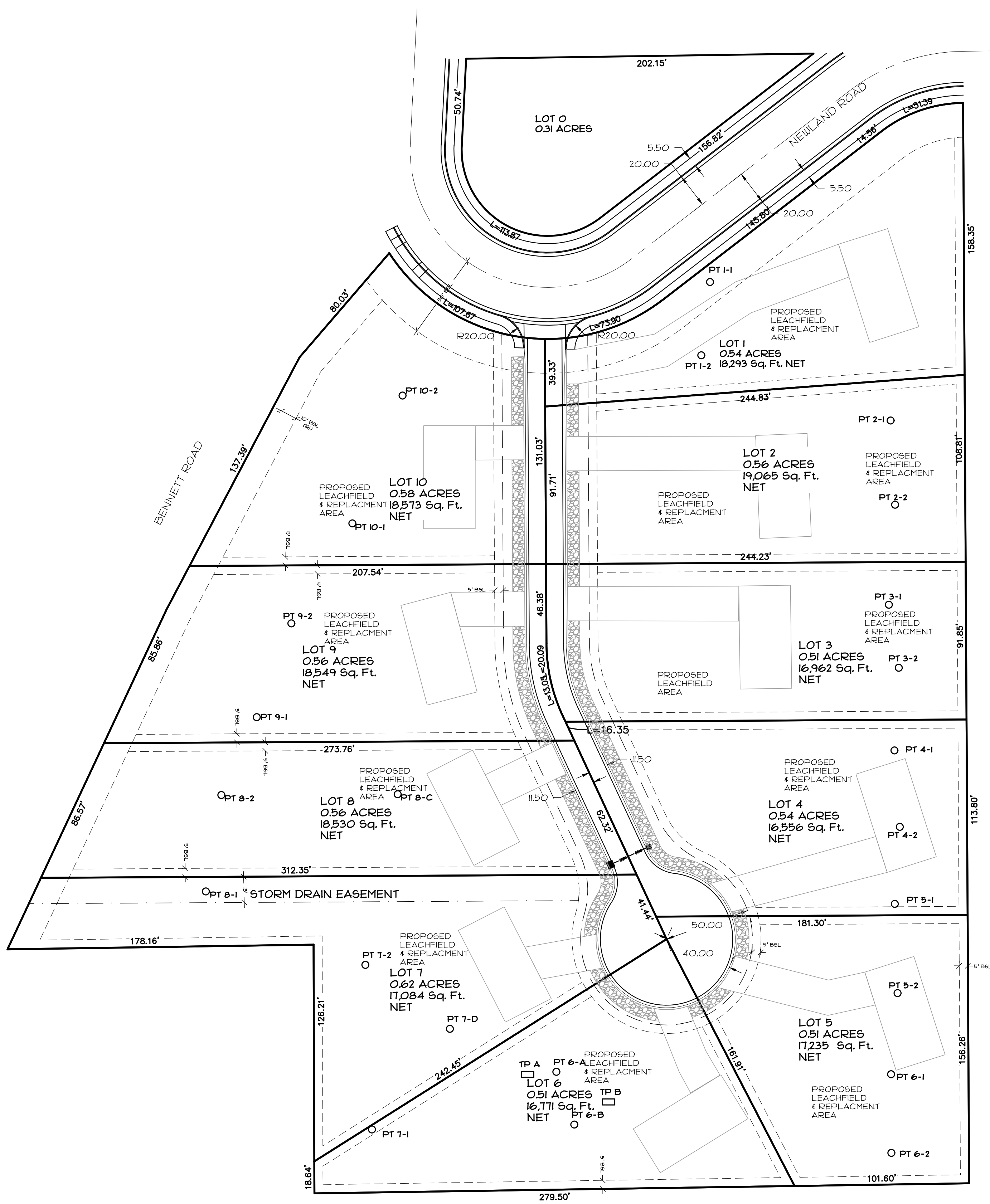
TENTATIVE SUBDIVISION MAP
FUTURE PHASE 2 LANDS 176-Maps-73
BUTTE CONSTRUCTION COMPANY

Robertson Erickson
CIVIL ENGINEERS & SURVEYORS
888 Manzanita Court
Suite 101
Chico, California 95926
530-894-3500 Fax 530-894-8955
robertsonerickson.com



TPM

LUPINE SUBDIVISION

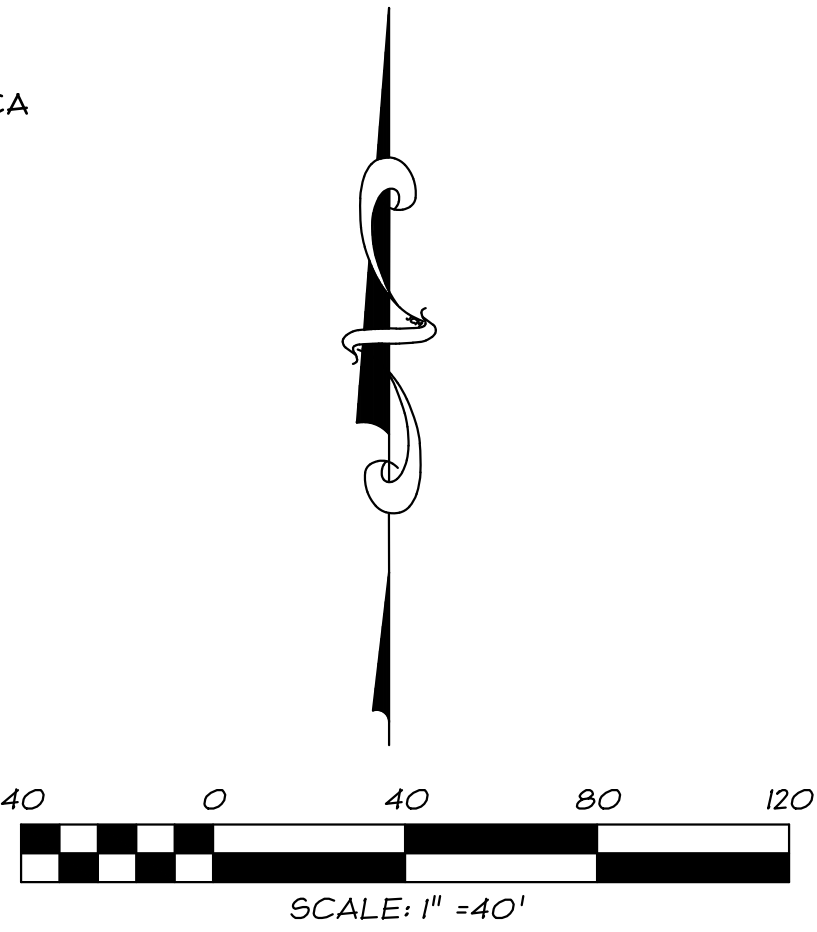


INFORMATION TABLE

Owner - Phoenix Community Initiative-
229 W. 2nd Avenue Chico
Location - 5389 Newland Road, Paradise, CA
APN - 054-181-051
Prepared By - Robertson Erickson Civil
Engineers August, 2020
Zoning - RR 1/2

NOTES

- No structures are currently on this property.
- All trees are to remain.
- Existing Use - Vacant
- Proposed Use - Residential
- There is no existing off street parking.
- There are no known environmental issues.
- Contour interval is 5'
- Lot 0 to be a no build lot
- Proposed structure to vary from 1400 s.f. to 1800 s.f.
- Exact driveway and structure location for each lot could change
- All lots meet the Minimum Net Lot Wastewater Area from Table 13.04.110



SOILS LOG & PERCOLATION SUMMARY

LOT 1 PERK 13 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 16,520 USEABLE = 18,292	LOT 4 PERK 13.2 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 16,520 USEABLE = 16,556	LOT 7 PERK 14.7 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 16,520 USEABLE = 17,084	LOT 10 PERK 16.8 DEEPCOLE 7+ SLOPE 10-20% REQ. USEABLE = 18,520 USEABLE = 18,573
LOT 2 PERK 24.8 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 18,520 USEABLE = 19,065	LOT 5 PERK 12.4 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 16,520 USEABLE = 17,235	LOT 8 PERK 7.70 DEEPCOLE 7+ SLOPE 10-20% REQ. USEABLE = 16,520 USEABLE = 18,530	
LOT 3 PERK 11.2 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 16,520 USEABLE = 16,962	LOT 6 PERK 7.0 DEEPCOLE 7+ SLOPE 0-10% REQ. USEABLE = 14,520 USEABLE = 16,771	LOT 9 PERK 17.20 DEEPCOLE 7+ SLOPE 10-20% REQ. USEABLE = 18,520 USEABLE = 18,549	

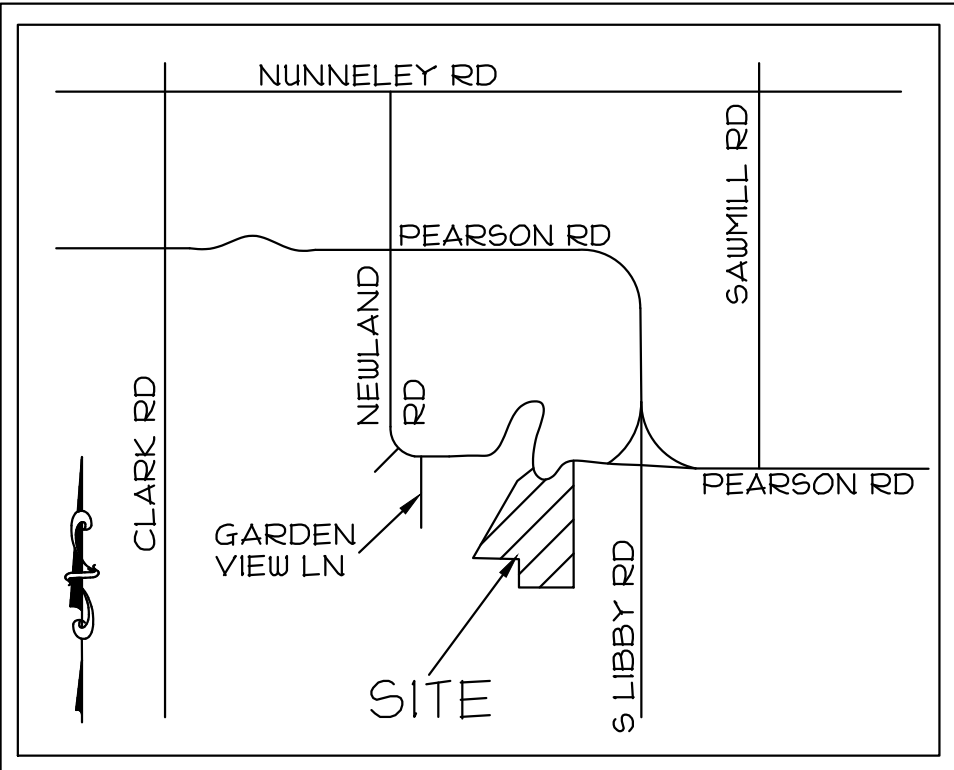
PERCOLATION LOCATION ID#

PT 1-2
O

SOILS INVESTIGATION TRENCH ID#

TPA - A

NOTE: PERCOLATION TESTS ENDING WITH A LETTER WERE DONE IN 2020. TESTS ENDING IN NUMBER DESIGNATION WERE COMPLETED WITH SITE EVALUATION PROCESS FOR THIS SITE IN 2004. SOILS INVESTIGATION AREAS SHOWN WERE DONE IN NOVEMBER OF 2020. ALL OTHER TESTING DONE WAS COMPLETED WITH PRIOR SITE EVALUATION REPORT COMPLETED IN 2004.

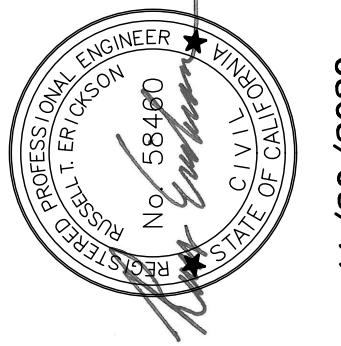


NTS
PARADISE, CALIFORNIA
VICINITY MAP

WASTEWATER LAND USE REVIEW
LUPINE SUBDIVISION
BUTTE CONSTRUCTION COMPANY

TPM

Robertson Erickson
CIVIL ENGINEERS & SURVEYORS
888 Manzanita Court
Suite 101
Chico, California 95926
530-894-3500 Fax 530-894-8955
robertsonerickson.com



11/30/2020

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: October 19, 2021**

FROM: Nick Bateman, Associate Planner **AGENDA NO. 5(c)**
SUBJECT: Schuster Conditional Use Permit Application (PL20-00279)
DATE: October 19, 2021 **AP 055-090-064**

GENERAL INFORMATION:

Applicant: Melissa Schuster & Cliff Jacobson
3300 Inspiration Lane
Paradise, CA. 95969

Location: 195 Wayland Road, Paradise, CA 95969

Requested Action: Approval of a Conditional Use Permit allowing the establishment of agricultural processing land use in the form of a distillery, including the use of a 4,800 square foot distillery building, warehouse, and tasting room on a 17.95-acre parcel zoned Agricultural Residential 3 (AR 3). The project would also include the construction of a 4,300 square foot structure which would be utilized as a tasting room and barrel storage area.

Purpose: To produce distilled spirits for sale and provide a recreational outlet for the community in the form of a tasting room.

Present Zoning: Agricultural Residential 3 (AR 3)

General Plan Designation: Agricultural Residential (A-R)

Existing Land Use: Vacant

Surrounding Land Use:

North:	Single Family Residence
East:	Single Family Residence
South:	Wayland Road (public road)
West:	Single Family Residence

Parcel Size: ±17.95 acres

CEQA Determination: Mitigated Negative Declaration

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 OR THE PLANNING COMMISSION MAY NOT TAKE ACTION ON THIS APPLICATION

PROJECT INFORMATION:

The project applicant is seeking approval from the Town of Paradise, via Conditional Use Permit approval, to establish an agricultural processing land use (distillery) on an Agricultural Residential 3-acre minimum (AR-3) zoned lot. The ± 17.95 -acre property is located on Wayland Road between Neal Road and Inspiration Lane and is addressed as 195 Wayland Road.

Access to the site is via two public street encroachments to Wayland Road. Customer parking for the site would be provided through a large, compacted gravel parking area which would include an ADA accessible space with concrete path to access the tasting room facility. Parking for employees would be provided in a separate lot, behind the proposed facility.

The property was severely damaged in the 2018 Camp Fire. In the fire, a large single-family residence was lost. The property presently holds a small shed and a covered patio structure. A metal storage building, which would eventually serve as the tasting room and storage area, is currently in construction. The foundation of the burned residence still stands on the property. The majority of the 17.95-acre parcel is undeveloped.

The proposed project is a distillery and tasting room business. The project would include the construction of a 4,800 Sq. Ft. distillery and tasting room in an already permitted metal structure and the later construction of a 4,300 sq. ft. tasting room and barrel storage area. Additional improvements would include parking areas, driveways, and wastewater disposal infrastructure. Road access serving the distillery is proposed to be an existing compacted gravel driveway to be utilized by workers and delivery vehicles. Another proposed gravel access way would allow customers into a proposed parking area. Both access ways would link to Wayland Road

The proposed services would include operation of the distillery, tasting room, daily tours, and occasional special events. The distillery would operate on an as-needed basis, producing one or two barrels of spirits per week. Customers would be allowed a tasting of 1.5 oz each day. Distillery operations would be conducted by up to three employees.

The proposed tasting room would have set hours and is proposed to operate Tuesday through Saturday weekly. The proposed hours of operation would be 12pm-6pm from Tuesday to Thursday, 12pm-7pm on Fridays, 11am-7pm on Saturday, and 11am-6pm on Sundays.

For a more detailed project description and additional analysis, please refer to the initial study and proposed mitigated negative declaration document prepared for this project.

ANALYSIS:

A mitigated negative declaration document has been prepared and is recommended for certification concerning this proposed project. This document identifies necessary project mitigation measures and conditions designed to reduce the potential environmental effects to a minimal or insignificant level. Therefore, if mitigated and conditioned appropriately, the

project would not result in direct and significant adverse effects on the existing environmental setting. The proposed environmental document was made available for public and state agency review and as of the date of preparation of this staff report, no written responses regarding the document have been filed with the planning department though phone calls with inquiries from neighboring property owners have been received.

If mitigated and conditionally approved by the Planning Commission as recommended by Town staff, this project would be consistent with the Town's General Plan and zoning regulations and would be compatible with surrounding land uses.

ANALYSIS CONCLUSION:

Upon review of the existing environmental setting and the project proposal, it is staff's position that the requested conditional use permit application is reasonable, and that the establishment of the proposed project's 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 the project. Staff endorses the Planning Commission approval of the Burnt Barn Distillery conditional use permit application, based upon and subject to the following recommended findings and conditions of project approval:

REQUIRED FINDINGS FOR APPROVAL:

1. Find that the project, as mitigation and conditioned, will not result in any significant adverse effects on the environment.
2. Find that, as conditioned, the project is consistent with the goals and policies of the Paradise General Plan.
3. Find that the project, as conditioned, is in compliance with all applicable regulations of the Agricultural Residential 3-acre minimum (AR-3) zoning district.
4. Find that adequate infrastructure is currently in place to serve the proposed project.
5. Find that the project, as proposed and conditioned, will be compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare because the agricultural processing land use is compatible with the assigned zoning and would not be out of character for the surrounding area.

RECOMMENDATION:

Adopt the required findings for approval as provided by staff, and approve the Burnt Barn Distillery Conditional Use Permit application (PL20-00297) to authorize the construction of a distillery and tasting room business, 4,800 Sq. Ft. distillery and tasting room in a permitted metal structure and the later construction of a 4,300 sq. ft. tasting room and barrel storage area on a ±17.95-acre property zoned Agricultural Residential 3-acre minimum (AR-3), subject to the following conditions of approval:

GENERAL CONDITIONS

1. If any land use for which a conditional use permit has been granted and issued is not established within three (3) years of the permit's effective date, the conditional use permit may become subject to revocation by the Town of Paradise.
2. Apply for and secure Town of Paradise architectural design review approval for the project. Pursuant to Town Council resolution, there shall be no fee collected by the Town for this review process.
3. Secure Town of Paradise design review approval for any new business sign structures prior to the establishment of such signs on the site.
4. 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.
5. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project, its environmental document 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 by the Planning Commission and the payment of the appropriate processing fees
6. Pay any applicable development impact fees in accordance with Paradise Municipal Code requirements.

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF BUILDING PERMIT(S)

CONSTRUCTION

7. Meet the requirements of the Town Building Official regarding accessibility requirements, fire resistive materials, submittal of construction plans, building permit applications, and all applicable construction code requirements.

UTILITIES

8. Provide copies of site plans and any other required construction documents to Paradise Irrigation District per comments received on March 10, 2021, on filed

with the Community Development Department.

GRADING / DRAINAGE

9. Applicant shall prepare an engineered grading plan and corresponding Post-Construction Standards submittal for a Regulated Project prior to issuance of Building Permits. Pay applicable grading permit fees per current fee schedule.

SANITATION

10. Complete any requirements of the Onsite Sanitary Official concerning the use of the existing septic system for the domestic waste from the distillery (processing waste disposal to be overseen by the State Regional Water Quality Control Board).

UTILITIES

11. Submit construction plans to Paradise Irrigation District for review prior to the issuance of building permit(s) by the Town's Building Division.

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

SITE DEVELOPMENT

12. Complete the project as per the Town of Paradise adopted California Building Standards and Town of Paradise approved plans and specifications.
13. Construct all necessary site, drainage, access, and other facilities improvements as required by the Town Engineer. All construction shall be in conformance with generally acceptable engineering and construction practices.
14. Submit landscaping plans and current application fee to the Development Services Department (Planning division) in accordance with Paradise Municipal Code requirements and install approved landscape materials in a manner deemed satisfactory to the town Planning Director. Installation of required landscape materials may be guaranteed by a bond (or a similar financial instrument) for a limited additional period of time determined by the Planning Director to be appropriate (ex: 90 days). Landscape Plans shall be designed in accordance with the requirements of the State of California Model Water Efficient Landscape Ordinance (MWELO).
15. If disturbing over one-acre (as shown), this project will be subject to filing a Notice of Intent (NOI) with the Regional Water Quality Control Board and preparation of a Storm Water Pollution Prevention Plan (SWPPP). If required,

provide evidence of an issued WDID# prior to commencement of work.

ROADS AND ACCESS

16. Submit a detailed Soil Erosion, Sediment Control Plan, and Dust Emissions Control Plan to the Town Public Works Department for approval by the Town Engineer **PRIOR** to the start of any earthwork.
17. All work within the Wayland Road public right of way is subject to Town issuance of an encroachment permit. Applicant shall secure an encroachment permit from the Town of Paradise Public Works Department. All work in the public right-of-way requires a licensed, bonded, and insured contractor. The following are required for the encroachment permit:
 - a. Paint striping of detail 27B right edge line around the property frontage and an additional 250' east and west for each side of the roadway. Final limits shall be determined by the Town Engineer.
 - b. Install two W5-1 (road narrows signs) at the limits for the above required edge line termination for eastbound and westbound traffic with final locations to be determined by the Town Engineer.
 - c. Install two W4-1 (CA) 15 MPH (curve/speed warning) signs near adjacent horizontal curves for eastbound and westbound traffic with final locations to be determined by the Town Engineer.
18. Provide a Truck Traffic Handling Route Map detailing how deliveries will be taken, trucks will be returned, and where deliveries will come from. Refer to the Town Engineer for requirements.

FIRE SAFETY

19. Meet all requirements of the Town Fire Prevention Inspector. See attached comments dated March 3, 2021.

UTILITIES

20. Meet the requirements of all utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on-site utility easements.
21. Meet all requirements of the Paradise Irrigation District (PID) in accordance with written project review comments received from PID staff dated March 10, 2021, on file with the Town Community Development Department.

SANITATION

22. Complete the requirements of the Town Onsite Sanitary Official regarding the connection of the domestic waste to the existing septic system. In addition, provide an as-built, an Operations & Maintenance manual, and maintenance contract (with an approved Town licensed evaluator) for the distillery wastewater system as permitted by the Regional Water Quality Control Board.
23. Applicant must meet any requirements of the Butte County Department of Environmental Health regarding operation of the tasting room as well as permitting requirements for wholesale facilities.

AIR QUALITY

24. Meet all permitting requirements of the Butte County Air Quality Management District if operating a boiler that meets the threshold for a Permit to Operate.

BIOLOGICAL RESOURCES

25. Applicant must consult with the California Department of Fish and Wildlife (CDFW) prior to commencement of any construction activities within or adjacent to Calhouse Creek and its associated riparian habitat. If any permitting or agreements such as a lake and Streambed Alteration (LSA) Agreement is required, the applicant shall meet all requirements of the CDFW.
26. Within 7 days prior to the start of any ground disturbing or vegetation removal activities included in the project description that occur during the nesting season (February 1 – August 31), a nesting bird survey shall be conducted by a qualified biologist. If multiple years of construction will occur, then a survey shall be completed for each nesting season. If active nests are observed during a pre-construction survey, CDFW shall be consulted within 3 days prior to the start of construction. No-disturbance buffers for active nests (i.e. with eggs or young) should be determined by the qualified biologist and based on a variety of conditions including species, presence of visual buffers, proposed construction activities, nesting status, etc.
27. In order to reduce the potential for bird mortality, the applicant shall install screens, window patterns, or new types of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel. Additional information can be found at: <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>.
28. Potential habitat for the Foothill Yellow Legged Frog (FYLF) exists in the vicinity of Calhouse creek. Relocation of threatened FYLF's is considered "take" as defined in the Fish & Game Code, section 86. If FYLF are detected during the preconstruction survey and a "take" is likely to result from Project activities, an Incidental Take Permit (ITP) (Fish & G. Code, §§ 2080.1) shall be obtained by the applicant prior to starting construction activities.

CONDITIONS OF LAND USE OPERATION

29. Comply with all Alcohol Beverage Control (ABC) regulations.
30. If the facility handles or stores hazardous materials or waste at or above reportable thresholds, the facility shall submit a Hazardous Material Business Plan into the California Environmental Reporting System (<https://cers.calepa.ca.gov/>) within 30 days of storing reportable hazardous materials as required by California Health and Safety Code Division 20, Chapter 6.95, Article 1, Section 25507 through 25508.2. Reportable quantities include 55-gallons or greater for a liquid, 200 cubic feet at standard temperature and pressure for a compressed gas and 500 pounds for a solid.

**LIST OF ATTACHMENTS FOR THE
BURNT BARN DISTILLERY
CONDITIONAL USE PERMIT APPLICATION (PL20-00279)**

1. Project site vicinity map
2. Notice sent to surrounding property owners and the Paradise Post for the October 19, 2021 public hearing
3. Mailing list of property owners and agencies notified of the public hearing
4. Comments received from reviewing departments/agencies
5. Completed Conditional Use Permit application and site plan
6. Mitigated Negative Declaration for the Burnt Barn Distillery Project



APPLICANT: Melissa Schuster & Clifford Jacobson

OWNER: Melissa Schuster & Clifford Jacobson

PROJECT DESCRIPTION: Request for Planning Commission approval of a conditional use permit application proposing the establishment of a distillery, warehouse, and tasting room within a 4,800 square foot metal building (currently under construction) on a 17.95-acre parcel zoned Agricultural Residential 3-acre minimum (AR-3). The project would also include the future construction of a 4,300 square foot structure which would be utilized as a tasting room and barrel storage area.

ZONING: Agricultural Residential 3-acre minimum (AR 3)

GENERAL PLAN: Agricultural Residential (A-R)

FILE NO. PL20-00279

ASSESSOR PARCEL NOS. : 055-090-064

MEETING DATE: October 19, 2021

TOWN OF PARADISE

Date: September 13, 2021

NOTICE OF ENVIRONMENTAL DOCUMENT AVAILABILITY AND PUBLIC HEARING TOWN OF PARADISE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, October 19, 2021 at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following project:

Project title: Burnt Barn Distillery Conditional Use Permit Application (PL20-00279)

Project location: 195 Wayland Road, Paradise, CA; AP No. 055-090-064

Description of project: The project proponent is requesting Town of Paradise approval of a conditional use permit application proposing the establishment of a distillery including the use of a 4,800 square foot distillery building, warehouse, and tasting room on a 17.95-acre parcel zoned Agricultural Residential 3 (AR 3). The project would also include the construction of a 4,300 square foot structure which would be utilized as a tasting room and barrel storage area.

Address where document may be viewed: Town of Paradise Building Resiliency Center
Development Services Department
6295 Skyway, Paradise, CA 95969

Public review period: ***Begins:*** September 17, 2021
Ends: October 18, 2021

The environmental document and project file are available for public inspection at the Development Services Department in the Building Resiliency Center. Any person wishing to respond to the proposed environmental document may file written responses no later than **October 18, 2021 at 5:00 p.m.** with the Paradise Development Services Department.

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 Planning Director at, or prior to, the public hearing. For additional information, please contact the Development Services Department at (530) 872-6291, extension 114.

Susan Hartman
Planning Director

Apn
Owner
Owner2
Street Address
City_State_Zip

055-090-064-000
Jacobson Clifford L & Schuster Melissa S
3300 Inspiration Ln
Paradise Ca 95969

055-080-033-000
Ott Terri L
5521 Paloma Ave
Paradise Ca 95969

055-080-039-000
Wilks Janet L
919 Karen Dr
Chico Ca 95926

055-080-042-000
Vasquez Herrera Jose A
Po Box 812
Paradise Ca 95967

055-080-043-000
Muhlbaier Bruce C & Lorraine D Trust
C/O Muhlbaier Bruce C & Lorraine D
Trustees
6903 Linry Ln
Paradise Ca 95969

055-090-011-000
Dodd Rhea M
1174 Normandy Ct
Yuba City Ca 95991

055-090-045-000
Manley James E & Cynthia D
162 Wayland Rd
Paradise Ca 95969

055-090-046-000
Williams Sandra J
166 Wayland Rd
Paradise Ca 95969

055-090-048-000
Mccart Sonja Etal
Mccart Vesta
3340 Neal Rd
Paradise Ca 95969

055-090-057-000
Childs Jason M Etal
120 Rivendell Lane
Paradise Ca 95969

055-090-060-000
Bromelow Sven S & Amy S

055-090-061-000
Bromelow Sven S & Amy S
58 Wayland Rd
Paradise Ca 95969

055-090-062-000
Jacobson Clifford L & Sara A
138 Rivendell Lane
Paradise Ca 95969

055-090-068-000
Jacobson Clifford L & Schuster Melissa S
3300 Inspiration Ln
Paradise Ca 95969

055-350-025-000
Mooney Revocable Living Trust
C/O Mooney John Paul & Carol R Trustee
4780 Prospect Ln
Paradise Ca 95969

055-350-028-000
Taylor David L & Tamra S
2998 Sunnyside Ln
Paradise Ca 95969

055-370-065-000
Orlando Paul A & Nichole Y
Po Box 693
Paradise Ca 95967

055-090-069-000
Jacobson Clifford L Sr
3300 Inspiration Ln
Paradise Ca 95969

055-090-070-000
Hartley Revocable Inter Vivos Trust
C/O Hartley William E & Pamela J Trustees
205 Wayland Rd
Paradise Ca 95969

Burnt Barn
Labels

Burnt Barn
Labels

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
6161 Clark Road Ste. 1
Paradise, CA 95969

Paradise Board of Realtors
PO Box 356
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
313 Walnut St., Ste. 140
Chico, CA 95928

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

From: Lindsey, Anthony
Sent: Tuesday, March 16, 2021 3:47 PM
To: Bateman, Nick
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Nick,

Project shall adhere to the applicable California Building and Fire Codes and standards.

Yours in service,
Tony Lindsey
CDD Director Bldg&Code
530.872.6291 ext.428

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Tuesday, March 16, 2021 9:12 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Hi Tony,

Please let me know what comments and conditions you have for this project.

Thank you,

Nick Bateman

From: Bateman, Nick
Sent: Tuesday, March 9, 2021 11:32 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Rainey, Christopher <crainey@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; 'Jim Ladrini' <jiml@wwengineers.com>
Cc: 'colleenb@wwengineers.com' <colleenb@wwengineers.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Hello,

Following up on this development review request. Please let me know if you have any comments or conditions.

Thank you,

Nick Bateman

From: Bateman, Nick
Sent: Monday, March 1, 2021 9:13 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Mattox, Marc

<mmattox@townofparadise.com>; Rainey, Christopher <crainey@townofparadise.com>; Reinbold, Eric <ereinbold@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; Jim Ladrini <jiml@wwengineers.com>

Cc: colleenb@wwengineers.com

Subject: Development Review Request PL21-00279 - 195 Wayland

Hello,

Attached is a development review request for a distillery proposal at 195 Wayland Road. Please review the attached project materials and return any comments and conditions on the fillable DRR form.

Let me know if you have any questions regarding the project.

Thank you,

Nick Bateman | Associate Planner
530-872-6291 ext. 423 | nbateman@townofparadise.com



PROJECT NO.
PROJECT NAME:

PL20-00279
M. Schuster Distillery CUP

TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Proposed agricultural processing land use. This proposal is for the establishment of a distillery land on a property zoned AR 3. The project would include a 4,800 sq. ft. metal building which will house distillery equipment and serve as storage space for barrels. The facilities would be open to the public for tastings, tours, and sales.

LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21

RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)



Signature

Public Works-Engineering

Agency

03/05/21

Date

CONDITIONS PRIOR TO ISSUANCE:

No conditions prior to issuance of the CUP.

If site plans are resubmitted, please add info on nature of improvements for parking and road facilities (including area in square feet).

CONDITIONS PRIOR TO PERMIT FINAL:

1. New ingress/egress driveway from property to Wayland Road will require an approved Encroachment Permit and improvements shall be constructed to current Town Standards.
2. For temporary construction activities, applicant shall submit an Erosion & Sediment Control Plan for review and approval. Proposed grading exceeds one-acre in size, and as a result, a State Water Board General Permit shall be applied for and an issued WDID# will be required prior to commencement of grading activities.
3. For permanent improvements, more information is needed regarding proposed project grading and finished surfaces. Applicant shall prepare an engineered grading plan and corresponding Post-Construction Standards submittal for a Regulated Project prior to issuance of Building Permits.

Bateman, Nick

From: Mattox, Marc
Sent: Tuesday, October 5, 2021 2:20 PM
To: Bateman, Nick
Cc: Hartman, Susan
Subject: RE: Follow up discussion on 195 Wayland Distillery CUP

Good afternoon Nick:

I have reviewed this project again from the traffic safety lens. Wayland Road, by nature, is a low speed, narrow collector with many horizontal and vertical curves. I have reviewed the email below and understand the concerns expressed by neighboring properties. It is important to note the once-vegetated curve did have significant sight distance issues, as pictured below. Today, the corner is much more open with little vegetation causing concerns from this perspective. However, trees and shrubs will continue to grow, especially on private property. With this in mind, I think a few mitigation strategies could be implemented to address these overall concerns:

- The encroachment permit currently required for the new ingress/egress point for the employee entrance and emergency vehicle access shall be modified to further include:
 - o Paint striping of Detail 27B right edge line along the property frontage + 250' east and west for each side of the roadway with final limits to be determined by the Town Engineer.
 - o Install two W5-1 (road narrows) signs at the limits for the above required edge line termination for eastbound and westbound traffic with final locations to be determined by the Town Engineer
 - o Install two W4-1 (CA) 15 MPH (curve/speed warning) signs near adjacent horizontal curves for eastbound and westbound traffic with final locations to be determined by the Town Engineer

The overall intent of these mitigation strategies is to slow traffic down and provide advanced warning of the noted horizontal curve.

Should you have any questions or further needs relating to these comments, please do not hesitate to contact me.

Thank you,

Marc Mattox

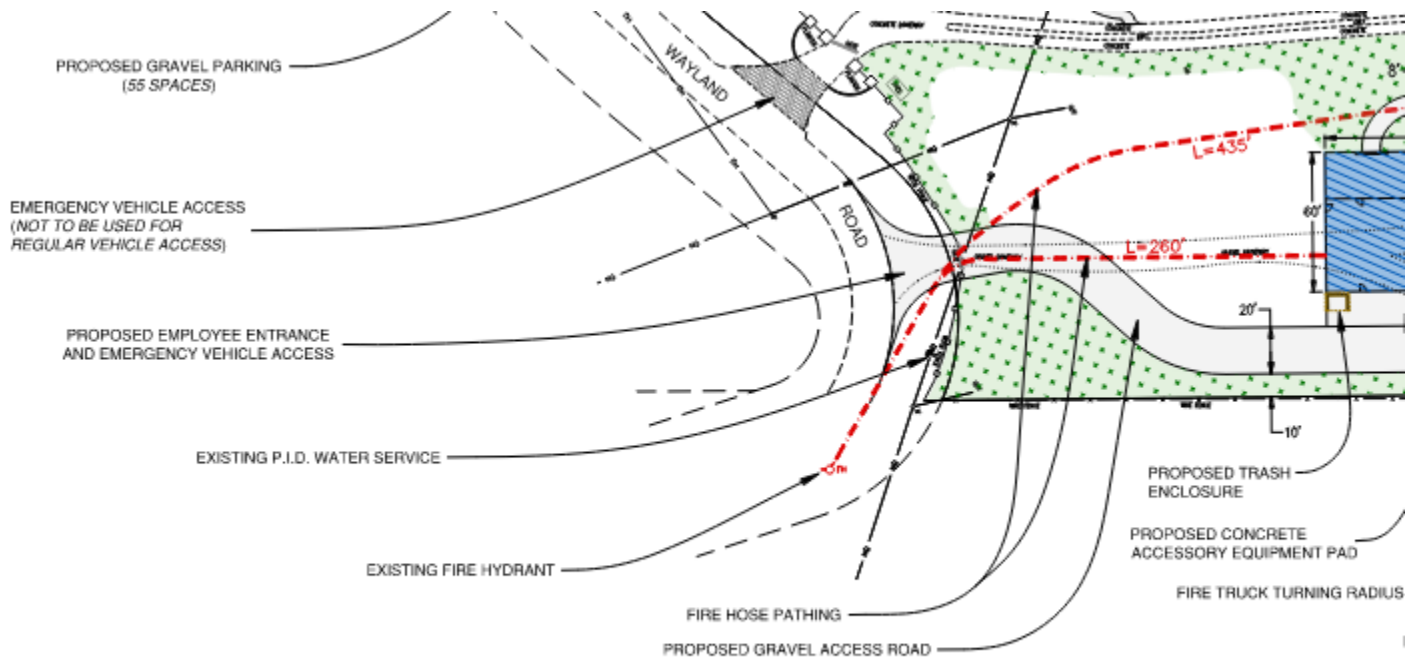
Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Thursday, September 30, 2021 11:40 AM
To: Mattox, Marc <mmattox@townofparadise.com>
Cc: Hartman, Susan <shartman@townofparadise.com>
Subject: Follow up discussion on 195 Wayland Distillery CUP

Hey Marc,

Request regarding the distillery project at 195 Wayland Road. In response to the public notice for this project we have received comments of concern regarding traffic safety on Wayland Road. A couple living in the area have expressed concern around the possibility of increased traffic from the project on Wayland in general and more specifically about the ingress for distillery workers and deliveries. They are concerned that traffic crossing at this point in the road may be unsafe given the low visibility around the corner (see the below screenshot and street view of the corner).

Have you got any concerns regarding traffic safety for this project? Any conditions we should consider applying to the permit here? I have attached the site plans and our previous correspondence regarding the project for context here. This project is noticed and will be heard at the 10/19/21 Planning Commission meeting.



Thank you,

Nick Bateman | Associate Planner

530-872-6291 ext. 423 | nbateman@townofparadise.com



Bateman, Nick

From: Mattox, Marc
Sent: Tuesday, October 5, 2021 3:07 PM
To: Bateman, Nick
Cc: Hartman, Susan
Subject: RE: Follow up discussion on 195 Wayland Distillery CUP

Nick:

I'd like to also see a truck traffic handling route map. How do the applicants propose to receive deliveries on the site and send traffic back to Wayland? Will the deliveries arrive from Neal Road?

Thank you,

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Mattox, Marc
Sent: Tuesday, October 5, 2021 2:20 PM
To: Bateman, Nick <nbateman@townofparadise.com>
Cc: Hartman, Susan <shartman@townofparadise.com>
Subject: RE: Follow up discussion on 195 Wayland Distillery CUP

Good afternoon Nick:

I have reviewed this project again from the traffic safety lens. Wayland Road, by nature, is a low speed, narrow collector with many horizontal and vertical curves. I have reviewed the email below and understand the concerns expressed by neighboring properties. It is important to note the once-vegetated curve did have significant sight distance issues, as pictured below. Today, the corner is much more open with little vegetation causing concerns from this perspective. However, trees and shrubs will continue to grow, especially on private property. With this in mind, I think a few mitigation strategies could be implemented to address these overall concerns:

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 - o Install two W5-1 (road narrows) signs at the limits for the above required edge line termination for eastbound and westbound traffic with final locations to be determined by the Town Engineer
 - o Install two W4-1 (CA) 15 MPH (curve/speed warning) signs near adjacent horizontal curves for eastbound and westbound traffic with final locations to be determined by the Town Engineer

The overall intent of these mitigation strategies is to slow traffic down and provide advanced warning of the noted horizontal curve.

Should you have any questions or further needs relating to these comments, please do not hesitate to contact me.

Thank you,

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>

Sent: Thursday, September 30, 2021 11:40 AM

To: Mattox, Marc <mmattox@townofparadise.com>

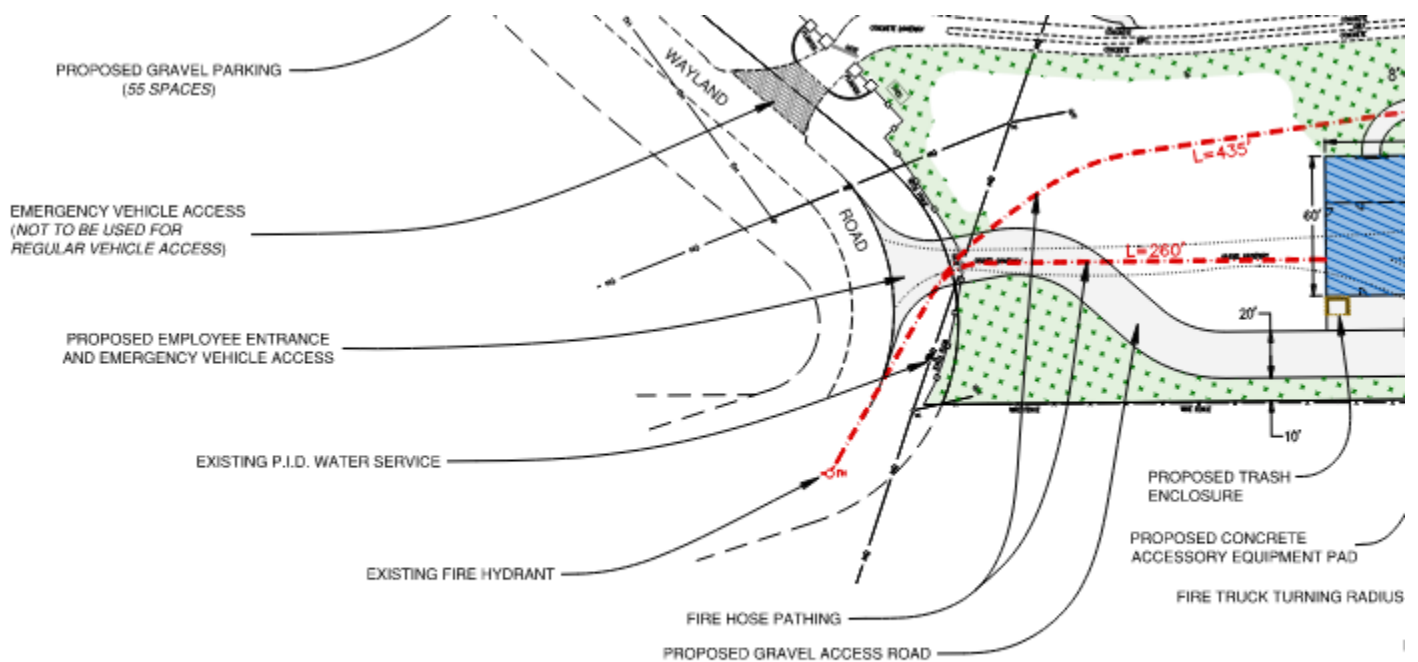
Cc: Hartman, Susan <shartman@townofparadise.com>

Subject: Follow up discussion on 195 Wayland Distillery CUP

Hey Marc,

Request regarding the distillery project at 195 Wayland Road. In response to the public notice for this project we have received comments of concern regarding traffic safety on Wayland Road. A couple living in the area have expressed concern around the possibility of increased traffic from the project on Wayland in general and more specifically about the ingress for distillery workers and deliveries. They are concerned that traffic crossing at this point in the road may be unsafe given the low visibility around the corner (see the below screenshot and street view of the corner).

Have you got any concerns regarding traffic safety for this project? Any conditions we should consider applying to the permit here? I have attached the site plans and our previous correspondence regarding the project for context here. This project is noticed and will be heard at the 10/19/21 Planning Commission meeting.





Thank you,

Nick Bateman | Associate Planner
530-872-6291 ext. 423 | nbateman@townofparadise.com



Bateman, Nick

From: Mattox, Marc
Sent: Friday, May 21, 2021 10:09 AM
To: Bateman, Nick
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Nick, modified comments below:

Conditions Prior to permit Issuance:

No conditions prior to issuance of the CUP.

Conditions Prior to permit final

1. New ingress/egress driveway from property to Wayland Road will require an approved Encroachment Permit and improvements shall be constructed to current Town Standards.

2. For temporary construction activities, applicant shall submit an Erosion & Sediment Control Plan for review and approval. Proposed grading exceeds one-acre in size, and as a result, a State Water Board General Permit shall be applied for and issued WDID# will be required prior to commencement of grading activities.

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Wednesday, May 19, 2021 11:18 AM
To: Mattox, Marc <mmattox@townofparadise.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Hi Marc,

I got a resubmittal for the distillery project and want to run it by you again in case you have any new comments or conditions. You previously requested that if a new site plan was requested, they also include details on the nature parking/road improvements and the area of the improvements. Attached are the revised project site plan and project description.

Here are your previous comments for reference

Conditions Prior to permit Issuance:

"No conditions prior to issuance of the CUP. If site plans are resubmitted, please add info on nature of improvements for parking and road facilities (including area in square feet)."

Conditions Prior to permit final

"1. New ingress/egress driveway from property to Wayland Road will require an approved Encroachment Permit and improvements shall be constructed to current Town Standards.

2. For temporary construction activities, applicant shall submit an Erosion & Sediment Control Plan for review and approval. Proposed grading exceeds one-acre in size, and as a result, a State Water Board General Permit shall be applied for and issued WDID# will be required prior to commencement of grading activities.

3. For permanent improvements, more information is needed regarding proposed project grading and finished surfaces. Applicant shall prepare an engineered grading plan and corresponding Post-Construction Standards submittal for a Regulated Project prior to issuance of Building Permits.”

Let me know if you have any questions.

Thank you,

Nick Bateman

From: Mattox, Marc <mmattox@townofparadise.com>
Sent: Tuesday, March 9, 2021 9:00 PM
To: Bateman, Nick <nbateman@townofparadise.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Hi Nick:

Please see attached. I tried to distinguish CUP conditions now and items needed when the project actually aims to begin work. Please let me know if this makes sense.

Thank you,

Marc Mattox

Public Works Director | Town Engineer
Town of Paradise | 530-872-6291 x125

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Monday, March 1, 2021 9:13 AM
To: Lindsey, Anthony <tlindsey@townofparadise.com>; Mattox, Marc <mmattox@townofparadise.com>; Rainey, Christopher <crainey@townofparadise.com>; Reinbold, Eric <ereinbold@townofparadise.com>; Larson, Bob <blarson@townofparadise.com>; Jim Ladrini <jiml@wwengineers.com>
Cc: colleenb@wwengineers.com
Subject: Development Review Request PL21-00279 - 195 Wayland

Hello,

Attached is a development review request for a distillery proposal at 195 Wayland Road. Please review the attached project materials and return any comments and conditions on the fillable DRR form.

Let me know if you have any questions regarding the project.

Thank you,

Nick Bateman | Associate Planner
530-872-6291 ext. 423 | nbateman@townofparadise.com



Town of Paradise

PARADISE FIRE & RESCUE

767 Birch Street, Paradise, CA 95969
www.townofparadise.com
(530) 872-6264



Development Review

Project Name: M. Schuster Distillery CUP

Location: 195 Wayland Road, Paradise

APN: 055-090-064

Applicant: Clifford Jacobson / Melissa Schuster

Project No. PL20-00279

Date of Plan Review: March 3, 2021

Review conducted by: Chris Rainey, Fire Prevention Inspector 2

The scope of project: Proposed agricultural processing land use. This proposal is for the establishment of a distillery land on a property zoned AR 3. The project would include a 4,800 sq. ft. metal building which will house distillery equipment and serve as storage space for barrels. The facilities would be open to the public for tastings, tours, and sales.

Development review was performed and the following comments were generated:

FIRE DEPARTMENT ACCESS

1. Private residential, public residential, 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. Additional width requirements may be applied to individual projects as determined by the Fire Marshal.
2. Roadways shall be extended to within one hundred and fifty (150) feet of all portions of the exterior walls as measured by an approved path of travel. An approved turn around shall be provided when the roadway exceeds one hundred and fifty (150) feet as directed by the Town of Paradise Fire Department. Fire Department turn around requirements shall be installed as directed. See attached turn around requirements.
3. 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.
4. 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 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.

5. Loading zones are required adjacent to loading doors and shall be designated on the Development Site of Plot Plan and shall be marked on the appropriate ground surface. Loading zones shall not interfere with required Fire Lanes or emergency egress capabilities.
6. 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.
7. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation. Gates serving multi-family, assembly, educational, hazardous, institutional, or storage structures must be automatic. Knox brand key-operated electric key switch to the Town of Paradise Fire Department and Police Department specification are required. The Knox switch shall override all gate functions and open the gate.

FIRE PROTECTION SYSTEMS:

8. Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13 Standard for Automatic Fire Sprinkler Systems. Three (3) sets of plans, hydraulic calculations, and material specification's sheets for equipment used in the system shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
9. Prior to Fire Department Clearance for occupancy, an automatic fire alarm system shall be installed. The system shall comply with NFPA #72 Standard for Fire Alarm Systems. Three (3) sets of plans, material specification's sheets for all equipment used in the system and California State Fire Marshal listings shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
10. Prior to final inspection or occupancy, hand portable fire extinguishers are required to be installed as directed by Town of Paradise Fire Department staff. The size, location, and markings shall be illustrated on the floor plan of the construction documents. Prior to installation the client is directed to request a fire inspection to confirm the locations of the fire extinguishers due to field changes of business systems.

STANDARD FIRE CONDITIONS:

11. Permanent commercial/industrial three-dimensional street numbers, minimum twelve (12) inches in height, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
12. Knox emergency access key box is required at each building, with specific mounting locations approved by the Town of Paradise Fire Department. Recessed mount key boxes are required. Premise keys for all buildings and areas 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. All flammable vegetation shall be removed from each building site as required in the Paradise Municipal Code Chapter 8.58 – Defensible Space and Hazardous Fuel Management.
 14. A hazardous materials inventory and disclosure shall be provided with a complete listing of MSDS sheets, storage locations and a technical report shall be submitted for review and approval prior to or as part of the submission for a building permit.
 15. A fire permit is required for certain specific operations regulated by the California Fire Code. The permit is issued after application has been made to the Town of Paradise Fire Department and full compliance of the requirements for the operation has been adhered to. An annual fee is charged to the applicant for review and inspection of such permits. Some permits require additional inspections and permit compliance that may require additional fees to be paid semi-annually.

Thank you,
Chris Rainey
Fire Prevention Inspector 2
Town of Paradise
530-872-6291 x304

PROJECT NO. PL20-00279
PROJECT NAME: M. Schuster Distillery CUP

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Proposed agricultural processing land use. This proposal is for the establishment of a distillery land on a property zoned AR 3. The project would include a 4,800 sq. ft. metal building which will house distillery equipment and serve as storage space for barrels. The facilities would be open to the public for tastings, tours, and sales. +

LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21


RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)


Signature

Paradise Police Department
Agency

03/01/2021
Date

CONDITIONS PRIOR TO ISSUANCE:

Ensure the applicant can be permitted by Alcohol Beverage Control (ABC) to operate this facility at the proposed location.

CONDITIONS PRIOR TO PERMIT FINAL:

Comply with any and all Alcohol Beverage Control (ABC) regulations related to the proposed project and ongoing operations.

PROJECT NO.
PROJECT NAME:

PL20-00279
M. Schuster Distillery CUP

TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Proposed agricultural processing land use. This proposal is for the establishment of a distillery land on a property zoned AR 3. The project would include a 4,800 sq. ft. metal building which will house distillery equipment and serve as storage space for barrels. The facilities would be open to the public for tastings, tours, and sales.

LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21

RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)

Jim Ladrini

Signature

Water Works Engineers

Agency

3/10/2021

Date

CONDITIONS PRIOR TO ISSUANCE:

CONDITIONS PRIOR TO PERMIT FINAL:

APN 055-090-064 was previously served water through a 1" metered service connection(s). At the time of this response the water quality advisory has not been lifted at this parcel. Service lateral replacement(s) and backflow prevention are required at all water service connections assigned to this parcel to lift the water quality advisory. The service lateral(s) will be replaced at the current location(s) unless otherwise determined by PID.

This parcel is contiguous with, and under identical ownership with APN 055-090-068, 3344 Inspiration Lane. The requirements listed above for APN 055-090-064 shall apply to APN 055-090-068.

Prior to construction of the project described in this review, PID requests Preliminary Design Review of plans prior to issuance of building permit.

Contact PID if the planned development requires any changes to the existing water service connection(s). Costs for any upgrades and backflow prevention requirements are the responsibility of the property owner. Please contact the PID office at 530-877-4971 for questions or assistance.

These comments apply to the domestic water supply only.

Reviewed on 03/10/2021 by Water Works Engineers LLC, serving as PID District Engineer.

PROJECT NO. PL20-00279
PROJECT NAME: M. Schuster Distillery CUP

**TOWN OF PARADISE
DEVELOPMENT SERVICES DEPARTMENT**

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

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LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21

RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES ☒ YES, WITH CONDITIONS ☐ NO (EXPLAIN BELOW)

 OSO	Onsite	3/9/2021
Signature	Agency	Date

CONDITIONS PRIOR TO ISSUANCE:

CONDITIONS PRIOR TO PERMIT FINAL:

Applicate to provide the following to the onsite division:

1. provide an as built of the wastewater system once installed.
2. provide an operations and maintenance manual for the proposed engineered system.
3. provide an operations and maintenance contract with an approved Town licensed evaluator.

PROJECT NO.
PROJECT NAME:

PL20-00279
M. Schuster Distillery CUP

TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

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LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21

RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☐ YES, WITH CONDITIONS

☒ NO (EXPLAIN BELOW)

Jason Mandly

Signature

Butte AQMD

Agency

3/2/2021

Date

CONDITIONS PRIOR TO ISSUANCE:

We would require an air quality Permit to Operate if they plan on operating a boiler rated at or above 1MMBTU.

CONDITIONS PRIOR TO PERMIT FINAL:

Bateman, Nick

From: Patrick Lucey <plucey@bcaqmd.org>
Sent: Wednesday, May 19, 2021 10:36 AM
To: Jason Mandly; Bateman, Nick
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Follow Up Flag: Follow up
Flag Status: Flagged

Nick,

I have received an application from Burnt Barn Distillery at 195 Wayland in Paradise for a 2MMBtu boiler. The application is complete and I will be processing it this week.

Let me know if you have any other questions.

Regards,

Patrick Lucey
Air Quality Engineer



Butte County Air Quality Management District
629 Entler Avenue, Suite 15
Chico, CA 95928
Phone: (530) 332-9400, ext. 107
www.butteairquality.com

From: Jason Mandly <jmandly@bcaqmd.org>
Sent: Wednesday, May 19, 2021 10:30 AM
To: Bateman, Nick <nbateman@townofparadise.com>
Cc: Patrick Lucey <plucey@bcaqmd.org>
Subject: Re: Development Review Request PL21-00279 - 195 Wayland

Hi Nick,

I believe they have but I'll let Patrick Lucey confirm.

The use permit language looks appropriate.
Thanks,

Jason Mandly

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Wednesday, May 19, 2021 9:57 AM
To: Jason Mandly <jmandly@bcaqmd.org>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Hi Jason,

I am writing to follow up on our discussion of the distillery project at 195 Wayland in Paradise. The applicants provided some clarification on their burner.

"The power source for processing in the distillery operation will come from a Rite low pressure steam boiler, (15 PSI), which produces 2,000,000 BTUH at high fire. An application for a Use Permit for this boiler has been accepted and reviewed for completeness by Patrick Lucey, Air Quality Engineer, BCAQMD..."

Based on what they describe, it looks like an air quality permit would be required. Can you confirm they have applied for the appropriate permit for their unit?

I am also drafting language for the conditions of the permit. Can you confirm that the condition below is appropriate for this project? If not, please let me know so we can most accurately represent the BCAQMD requirements. Please let me know if you have any questions on the project or need other details.

"Provide evidence of an Authority to Construct permit from Butte County Air Quality Management District."

Thank you,
Nick Bateman

From: Bateman, Nick
Sent: Tuesday, March 2, 2021 2:37 PM
To: Jason Mandly <jmandly@bcaqmd.org>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Jason,

Thank you for your quick response on this. I'll seek clarification on their boiler size.

Nick Bateman

From: Jason Mandly <jmandly@bcaqmd.org>
Sent: Tuesday, March 2, 2021 10:26 AM
To: Bateman, Nick <nbateman@townofparadise.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Good Morning,

Attached. We would only require an Air Quality permit to operate if they plan on having a boiler over 1MMBTUs. Our standard fugitive dust rules would apply during construction. No other comments.

Thanks,

Jason Mandly
Senior Air Quality Planner

Butte County Air Quality Management District
629 Entler Avenue, Suite 15 - Chico, CA 95928
Phone: (530) 332-9400 ext. 108
Website: www.ButteAirQuality.com
Twitter: [@bcaqmd](https://twitter.com/bcaqmd)

From: Bateman, Nick <nbateman@townofparadise.com>

Sent: Monday, March 1, 2021 9:13 AM

To: EMcspadden@buttecounty.net; Jason Mandly <jmandly@bcaqmd.org>; Kelsey.Vella@wildlife.ca.gov

Subject: Development Review Request PL21-00279 - 195 Wayland

Hello,

I am a planner with the Town of Paradise. Your contact information was shared with me by my manager, Susan Hartman, to request input on a development proposal. This is a development review request for a project proposal to establish a distillery land use in Paradise. Please review the attached project materials and return any comments and conditions on the fillable DRR form.

Thank you so much for your input. Let me know if you have any questions.

Thank you,

Nick Bateman | Associate Planner

530-872-6291 ext. 423 | nbateman@townofparadise.com



Bateman, Nick

From: Torres, Juan@Wildlife <Juan.Torres@wildlife.ca.gov>
Sent: Tuesday, March 9, 2021 2:18 PM
To: Bateman, Nick
Subject: FW: PT 2021-0089 FW: Development Review Request PL21-00279 - 195 Wayland

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Nick,

CDFW reviews CEQA documents to ensure that the documents have addressed potential project impacts to those resources we held in trust and/or the documents include appropriate necessary information so CDFW can use them when acting as a responsible agency (ie: when CDFW issues a lake and streambed alteration agreement). The documentation you provided does not include any information we can analyze regarding any potential impacts caused by the project.

Could you please clarify what you need from us? I am not sure we can provide you with any detailed comments in the absence of a biological report or something similar. Looking at the figures, some potential activities, that I am not sure if they are part of this project, may require the issuance of a streambed alteration agreement. I would also recommend that you consult with the CNDDDB to check for the potential presence of sensitive species within the project area. There are some CNPS listed plants in the area and some streams/creeks in the area have the potential for the State Threatened Foothill yellow legged frog. Without appropriate habitat assessment and/or surveys we cannot determine if any species are present in the project area or not. We would recommend that the project implements all applicable BMPs so no sediments enter the Calhouse Creek present in the area. Without additional information we cannot make any additional recommendations or tell you if we think that the project could cause significant impacts to biological resources.

On April 5, we will have a new staff assigned to Butte County. It may be a good idea if we set up a meeting to discuss the City needs and concerns and we can provide you with some information related to our programs. Could you please give me a call to the number below so we can discuss this request and the potential meeting in more detail?

Thanks

Juan Lopez Torres
Senior Environmental Scientist (Supervisor)
CEQA/CESA/LSA/NCCP

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE 
NORTH CENTRAL REGION
HABITAT CONSERVATION PROGRAM

1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
Office: (916) 247-0327
Fax: (916) 358-2912

Juan.Torres@wildlife.ca.gov
www.wildlife.ca.gov

**As a part of a broader effort by the California Natural Resources Agency and CDFW to go paperless, CDFW will begin accepting electronic notifications for Standard Lake and Streambed Alteration Standard Agreements through CDFW's*

new online Environmental Permit Information Management System (EPIMS), effective August 1, 2020. As CDFW transitions to EPIMS, CDFW will continue to accept paper notifications for Standard Agreements through August 2020. All notifications for Standard Agreements received on or after September 1, 2020 will be processed through EPIMS. For more information about EPIMS, or if you need help completing your online notification, please visit the CDFW's EPIMS website at: <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>

Every Californian should conserve water. Find out how at:



SaveOurWater.com · Drought.CA.gov

From: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Sent: Tuesday, March 9, 2021 12:54 PM
To: Torres, Juan@Wildlife <Juan.Torres@wildlife.ca.gov>
Subject: PT 2021-0089 FW: Development Review Request PL21-00279 - 195 Wayland

The comment period doesn't end until 3/15, but please see the below email and respond
Thank you,
Shaundra

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Tuesday, March 9, 2021 11:36 AM
To: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

WARNING: This email originated from outside of CDFW and should be treated with extra caution.

Hi Shaundra,

Just following up on this development review request. Please let me know if you have any questions.

Thank you,

Nick Bateman

From: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Sent: Monday, March 1, 2021 12:20 PM
To: Bateman, Nick <nbateman@townofparadise.com>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Thank you so very much –
Shaundra

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Monday, March 1, 2021 12:18 PM
To: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Hi Shaundra,

The requested return date is listed on the DRR form. Hoping to get responses by 3/15, but can go to 3/22 if more time is required.

Nick Bateman

From: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Sent: Monday, March 1, 2021 11:52 AM
To: Bateman, Nick <nbateman@townofparadise.com>
Subject: FW: Development Review Request PL21-00279 - 195 Wayland

Hi Nick,
I don't see a due date for comments – can you provide please?
Thank you,
Shaundra - CDFW

From: Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>
Sent: Monday, March 1, 2021 11:28 AM
To: Bateman, Nick <nbateman@townofparadise.com>; EMcspadden@buttecounty.net; jmandly@bcaqmd.org
Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Good morning Nick,

Thank you for offering CDFW the chance to review and provide comments on this project. I am including R2CEQA@wildlife.ca.gov in this email so that this request can make its way to the appropriate person for review. For future general development projects please send to the R2 CEQA email address, but please feel free to reach out to R2Timber@wildlife.ca.gov for any other projects related to the Camp Fire, cleanup, tree removal, etc.

Thank you!

Kelsey Vella
Senior Environmental Scientist (Specialist)
Timberland Conservation and Wildfire Resiliency Program
California Department of Fish and Wildlife
Cell: 916-932-3015

From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Monday, March 1, 2021 9:13 AM

To: EMcspadden@buttecounty.net; jmandly@bcaqmd.org; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>

Subject: Development Review Request PL21-00279 - 195 Wayland

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Hello,

I am a planner with the Town of Paradise. Your contact information was shared with me by my manager, Susan Hartman, to request input on a development proposal. This is a development review request for a project proposal to establish a distillery land use in Paradise. Please review the attached project materials and return any comments and conditions on the fillable DRR form.

Thank you so much for your input. Let me know if you have any questions.

Thank you,

Nick Bateman | Associate Planner

530-872-6291 ext. 423 | nbateman@townofparadise.com



PROJECT NO.
PROJECT NAME:

PL20-00279
M. Schuster Distillery CUP

TOWN OF PARADISE DEVELOPMENT SERVICES DEPARTMENT

DEVELOPMENT REVIEW REQUEST

TO: CSS, ENG, Fire, PD, PID, Onsite, BCAQMD, FWS, BCEH

FROM: Nick Bateman, Associate Planner

REQUEST: REVIEW AND COMMENT

DESCRIPTION OF PROJECT: Proposed agricultural processing land use. This proposal is for the establishment of a distillery land on a property zoned AR 3. The project would include a 4,800 sq. ft. metal building which will house distillery equipment and serve as storage space for barrels. The facilities would be open to the public for tastings, tours, and sales.

LOCATION 195 Wayland Road

AP NOS.: 055-090-064

APPLICANT: Clifford Jacobson / Melissa Schuster

CONTACT PHONE: 530-228-0941

DATE DISTRIBUTED: 3/1/21

RETURN DATE REQUESTED: 3/15/21

DOES YOUR AGENCY HAVE THE CAPACITY TO SERVE THIS PROJECT?

☐ YES

☒ YES, WITH CONDITIONS

☐ NO (EXPLAIN BELOW)

Elaine McSpadden

Signature

Butte County Environmental Heal

Agency

3/9/21

Date

CONDITIONS PRIOR TO ISSUANCE:

CONDITIONS PRIOR TO PERMIT FINAL:

Applicant must contact Butte County Environmental Health regarding a plan check application and permit to operate a food facility for the tasting room portion of this operation. If this facility is to be served by a well rather than community water systems, contact Butte County Environmental Health regarding the permitting of a small public water system. For additional requirements, please contact the California Department of Public Health regarding permitting for wholesale facilities.

Bateman, Nick

From: Parker, Thomas <TParker@buttecounty.net>
Sent: Tuesday, June 8, 2021 3:05 PM
To: Bateman, Nick
Cc: McSpadden, Elaine
Subject: RE: Development Review Request PL21-00279 - 195 Wayland
Attachments: HAZARDOUS MATERIALS AND EMISSIONS QUESTIONNAIRE 092319.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Nick –

Thanks for checking in with us regarding this. The requirement for a Hazardous Material Business Plan (HMBP) are for those facilities that handle generally 55-gallons, 500 pounds or 200 cubic feet of hazardous materials. The tricky part with reviewing plans for these is that the law requires them to submit the HMBP into the California Environmental Reporting System (CERS) within 30-days of handling (storing/using) the reportable quantities. Distilleries may store hazardous materials and may potentially generate hazardous waste. The way we get them on our radar in order to inform them of the laws and regulations is by having them complete the attached document and submit it to us and Butte County Air Quality Management District for review. One of my projects after completion of the North Complex Fire cleanup is to update this form and send it to all municipalities since there seems to be a drop off of us receiving these. Generally, building departments (DDS, City of Chico) will require this sign off prior to finalizing permits. So please have them complete this and they can send it to me and then I can route it to BCAQMD for review and send the completed document back to you.

Please let me know if you have any questions.

Thanks,

Thomas Parker

Supervisor, Hazardous Materials Program
[BUTTE COUNTY PUBLIC HEALTH](#)
[202 Mira Loma Drive | Oroville, CA 95965](#)
T: 530.552.3870 | M: 530.712.1020 | F: 530.538.5339

***Environmental Health Fees have been updated effective January 11, 2021.**

Please refer to our website for online payment and document submittal: <http://www.buttecounty.net/ph/Environmental-Health>

COVID-19 Call Center: 530.552.3050 Open 8 am-5 pm, M-F

"Nationally Accredited, 09/13/17"

[FACEBOOK](#) | [TWITTER](#)

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From: McSpadden, Elaine <EMcspadden@buttecounty.net>
Sent: Tuesday, June 8, 2021 2:48 PM

To: Parker, Thomas <TParker@buttecounty.net>
Subject: FW: Development Review Request PL21-00279 - 195 Wayland

Tom, see below question...

Elaine McSpadden

Division Director, Environmental Health
[BUTTE COUNTY PUBLIC HEALTH](#)
[202 Mira Loma Drive | Oroville, CA 95965](#)
T: [530.552.3865](#) | F: 530.538.5339

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COVID-19 Call Center: 530.552.3050 Open 8 am-4:30 pm, M-F

Nationally Accredited, 09/13/17

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From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Tuesday, June 8, 2021 2:36 PM
To: McSpadden, Elaine <EMcspadden@buttecounty.net>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

ATTENTION: This message originated from outside **Butte County**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hello Elaine,

Just doing a quick follow up on this project. Would a hazardous materials management plan be required of this project? I'm getting into the environmental review and trying to pin down potential impacts.

Thank you,
Nick Bateman

From: McSpadden, Elaine <EMcspadden@buttecounty.net>
Sent: Tuesday, March 9, 2021 1:37 PM
To: Bateman, Nick <nbateman@townofparadise.com>
Cc: Veilleaux, Jennifer <JVeilleaux@buttecounty.net>; Ostrovskiy, Nikolay <NOstrovskiy@buttecounty.net>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

Good afternoon Nick,

I apologize for the delay on this response! Please see attached comments for Butte County Environmental Health.

Thank you and let me know if you have any questions.

Elaine McSpadden

Division Director, Environmental Health
[BUTTE COUNTY PUBLIC HEALTH](#)
[202 Mira Loma Drive | Oroville, CA 95965](#)

T: [530.552.3865](tel:530.552.3865) | F: 530.538.5339

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From: Bateman, Nick <nbateman@townofparadise.com>
Sent: Tuesday, March 9, 2021 11:35 AM
To: McSpadden, Elaine <EMcspadden@buttecounty.net>
Subject: RE: Development Review Request PL21-00279 - 195 Wayland

ATTENTION: This message originated from outside **Butte County**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hi,

Just writing to follow up on this development review request. Please let me know if you have any comments or conditions for the project.

Thank you,

Nick Bateman

From: Bateman, Nick
Sent: Monday, March 1, 2021 9:13 AM
To: EMcspadden@buttecounty.net; jmandly@bcaqmd.org; Kelsey.Vella@wildlife.ca.gov
Subject: Development Review Request PL21-00279 - 195 Wayland

Hello,

I am a planner with the Town of Paradise. Your contact information was shared with me by my manager, Susan Hartman, to request input on a development proposal. This is a development review request for a project proposal to establish a distillery land use in Paradise. Please review the attached project materials and return any comments and conditions on the fillable DRR form.

Thank you so much for your input. Let me know if you have any questions.

Thank you,

Nick Bateman | Associate Planner
530-872-6291 ext. 423 | nbateman@townofparadise.com

Project No. _____

**TOWN OF PARADISE
APPLICATION FOR CONDITIONAL USE PERMIT**

Applicant MELISSA SCHUSTER/CLIFFORD JACOBSON Phone 530-228-0941

Applicant's Mailing Address 3300 INSPIRATION LN PARADISE 95969

Applicant's email address LadyMofParadise@hotmail.com Fax N/A

Applicant's Interest in Property (Owner, Lessee*, Other*) OWNER

*If applicant is NOT the property owner, the owner's signature or owner-signed letter of authorization MUST accompany this application.

Owner's Name SAME Phone SAME

Owner's Mailing Address SAME

Property Address 195 Wayland Rd. Parcel Size 17.95 acres

Engineer (Name, Address) Rolls ANDERSON & ROLLS

Engineer Phone 530-895-1422 Fax N/A Email _____

AP Number(s) 055-090-064 Zone AR3 Existing Use RESIDENTIAL

Detailed project description: (attach additional sheets if necessary) SEE ATTACHED

Purpose of project: TO PROCESS DISTILLED SPIRITS

Radial distance to the nearest billboard N/A

Sq. ft. of proposed structure/project 4800 SF Approx. no. yards of cut/fill N/A

Percentage increase in area of structures on site (example: A 250 sq. ft. addition to a 1,000 sq. ft. building = 25%) 0%

Distance to nearest fire hydrant 2100' Distance from centerline _____

Days/hours of operation: Days TBD Hours TBD Proposed no. of employees 1-3

Residential Density _____ Max. occupancy _____ Max. height of proposed structure/project 30'

Describe exterior design and exterior finish (Attach additional sheet(s) if necessary.): METAL BUILDING WITH MATTE BLACK FINISH, TALL WINDOW TO DISPLAY 28' VODKA COLUMN, LOGO ON EXTERIOR WALL.

Method of sewage disposal? SEPTIC

Is the proposed project site considered sensitive for archaeological resources? Yes _____ No ☒ (Please consult staff.)

NOTE: IF YES, PLEASE SUBMIT PAYMENT OF FEES TO "NORTHEASTERN INFORMATION CENTER" FOR ARCHAEOLOGICAL RECORDS INVENTORY SEARCH.

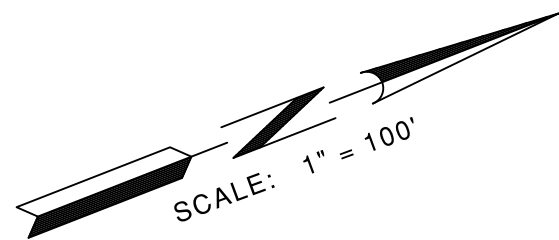
I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE STATEMENTS AND ATTACHED PLOT PLAN ARE TRUE, ACCURATE, COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Applicant's Signature [Signature] Date 10/1/20

Property Owner Signature _____ Date _____
(If applicable)

PLEASE ALLOW 6-8 WEEKS FOR PROCESSING; LONGER IF THE PROJECT IS SUBJECT TO ENVIRONMENTAL REVIEW.

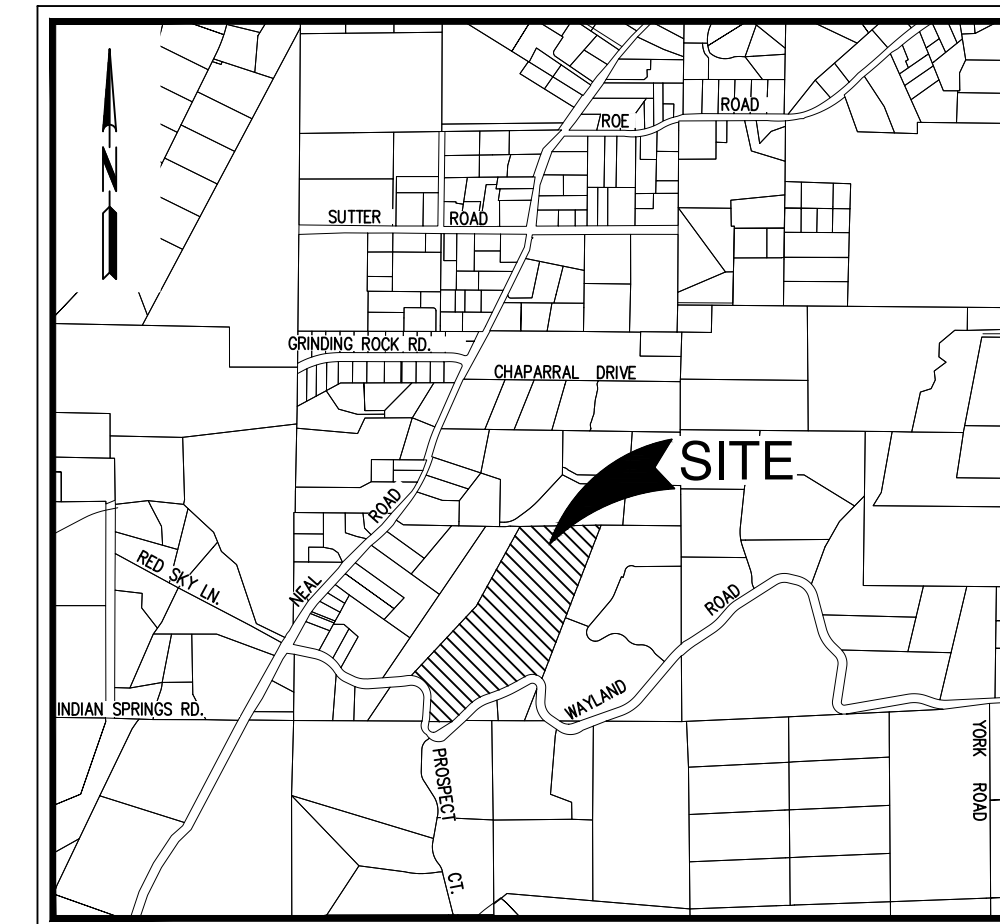
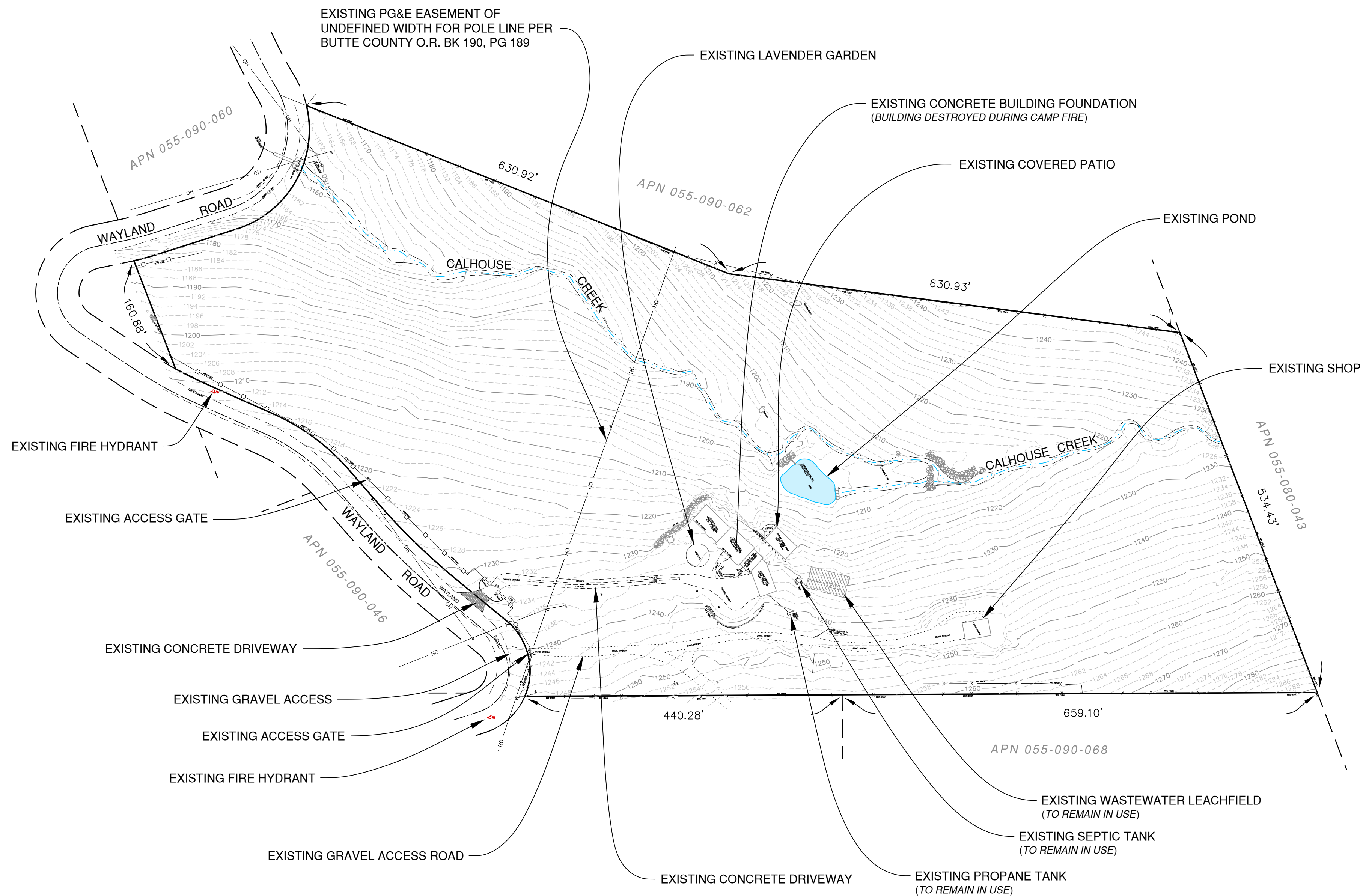
NOTE: By signing this application form, the applicant is indicating that the project site is not included on any state or local list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5, effective July 1, 1987.



THIS BAR ON ORIGINAL IS 1 INCH LONG

LEGEND

	PROPERTY BOUNDARY		EXISTING CREEK CHANNEL
	EXISTING PROPERTY LINE		EXISTING WATER PATH
	EXISTING ROAD CENTERLINE		EXISTING OVERHEAD WIRES
	EXISTING EDGE OF PAVEMENT		MAJOR CONTOR (10' INTERVAL)
	EXISTING EDGE OF CONCRETE		MINOR CONTOUR (2' INTERVAL)
	EXISTING EDGE OF GRAVEL		EXISTING FIRE HYDRANT
	EXISTING WOOD FENCE		EXISTING ROCK PILES
	EXISTING WIRE FENCE		

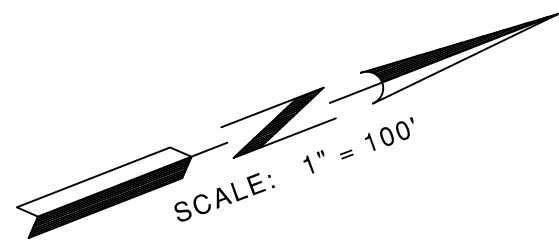


OWNER CLIFFORD JACOBSON & MELISSA SCHUSTER 330 INSPIRATION LANE PARADISE, CA 95969 (530) 570-9599	
APPLICANT BURNT BARN DISTILLING CO., LLC 195 WAYLAND ROAD PARADISE, CA 95969 (530) 570-9599	
PROPERTY DATA	
ASSESSORS PARCEL NUMBER	055-090-064
PARCEL AREA	17.95 ACRES ±
EXISTING ZONING	AR 3
EXISTING GENERAL PLAN	A-R
EXISTING LAND USE	OPEN USE
PROPOSED LAND USE	AGRICULTURAL PROCESSING & CROP PRODUCTION
UTILITY SERVICE	
SEWER	SEPTIC
WATER	P.I.D.
ELECTRIC	PG&E
GAS	PROPANE
TELEPHONE	AT&T
CABLE T.V.	COMCAST

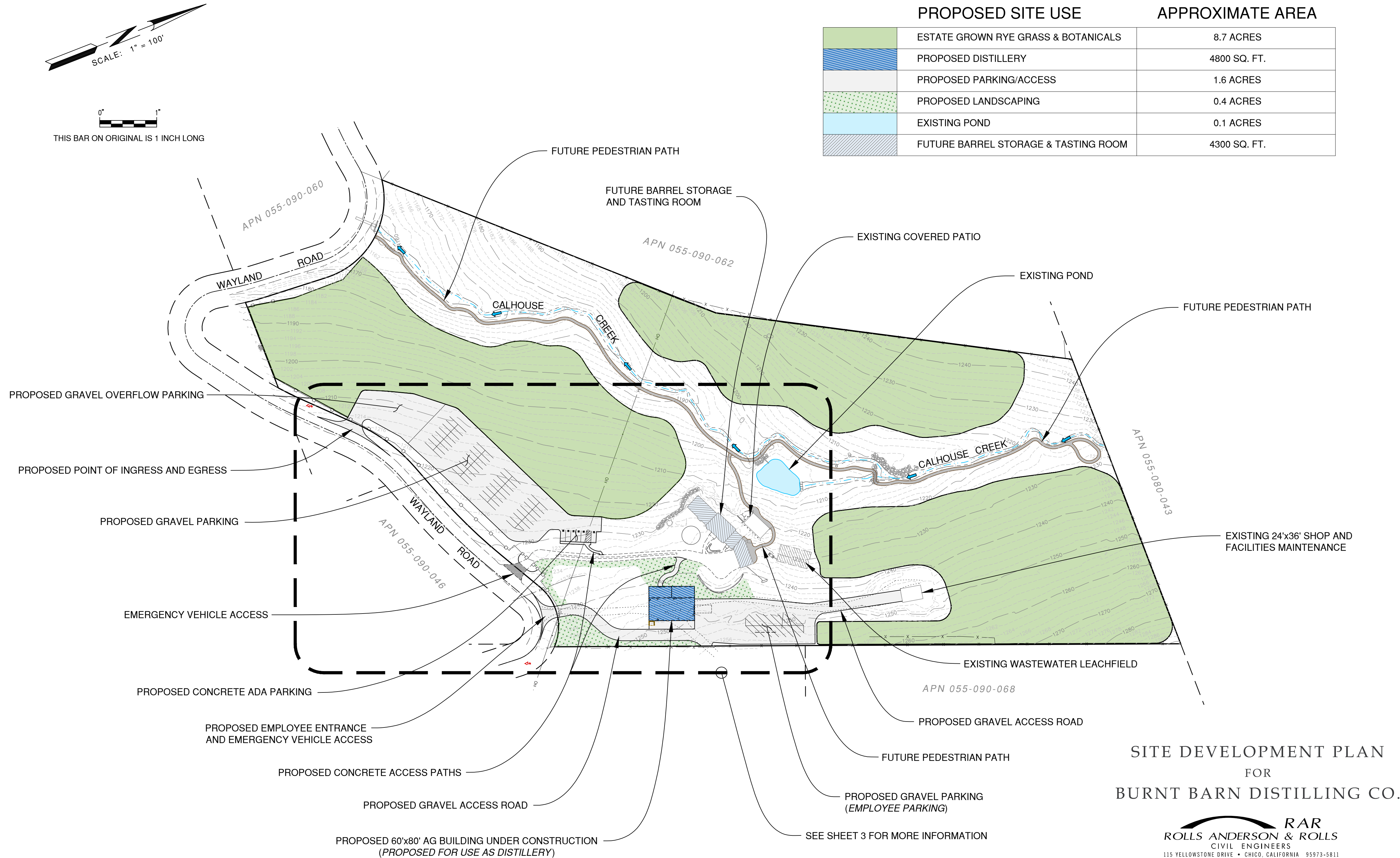
SITE DEVELOPMENT PLAN FOR BURNT BARN DISTILLING CO.

RAR
ROLLS ANDERSON & ROLLS
CIVIL ENGINEERS
115 YELLOWSTONE DRIVE • CHICO, CALIFORNIA 95973-5811
TELEPHONE 530-895-1422

APRIL, 2021 19220 SHEET 1 OF 3



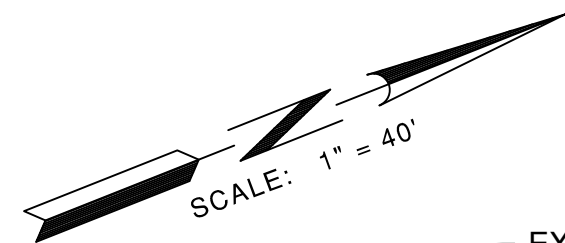
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SITE DEVELOPMENT PLAN
FOR
BURNT BARN DISTILLING CO.

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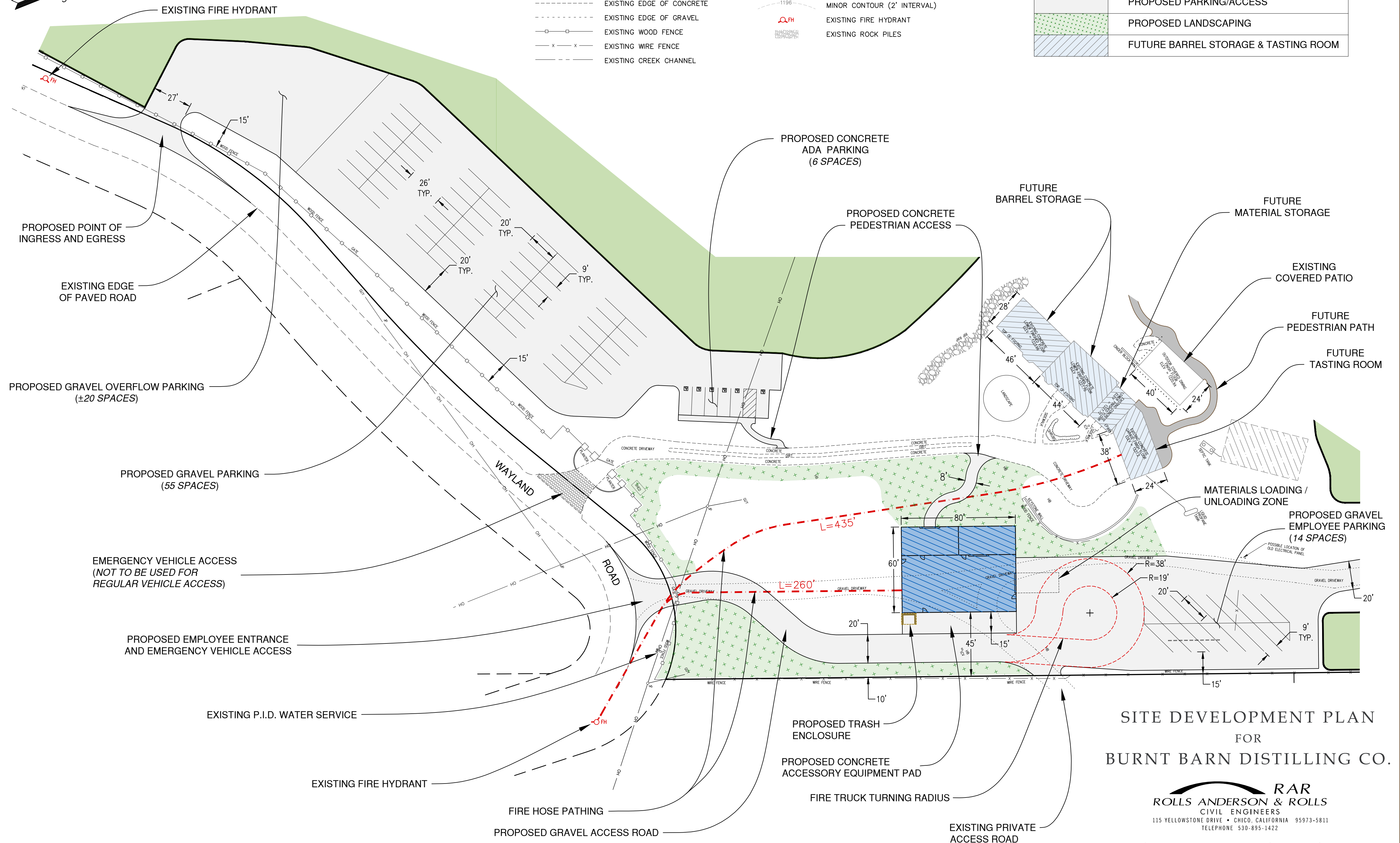
APRIL, 2021 19220 SHEET 2 OF 3



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LEGEND	
	PROPERTY BOUNDARY
	EXISTING PROPERTY LINE
	EXISTING EDGE OF PAVEMENT
	EXISTING EDGE OF CONCRETE
	EXISTING EDGE OF GRAVEL
	EXISTING WOOD FENCE
	EXISTING WIRE FENCE
	EXISTING CREEK CHANNEL
	EXISTING WATER PATH
	EXISTING OVERHEAD WIRES
	MAJOR CONTOUR (10' INTERVAL)
	MINOR CONTOUR (2' INTERVAL)
	EXISTING FIRE HYDRANT
	EXISTING ROCK PILES

PROPOSED SITE USE	
	ESTATE GROWN RYE GRASS & BOTANICALS
	PROPOSED DISTILLERY
	PROPOSED PARKING/ACCESS
	PROPOSED LANDSCAPING
	FUTURE BARREL STORAGE & TASTING ROOM



SITE DEVELOPMENT PLAN
FOR
BURNT BARN DISTILLING CO.

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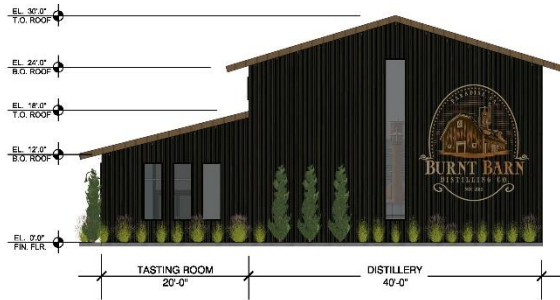
APRIL, 2021 19220 SHEET 3 OF 3

SECTION 8: CONCEPT ELEVATIONS OF THE DISTILLERY BUILDING

The building will be constructed of metal with a black, matte exterior finish and copper-colored, painted roof. A tall window on the street facing side will showcase the 28' copper vodka column. The Burnt Barn Distilling Co. logo will be placed on the street facing end of the building.







South Elevation



East Elevation



Burnt Barn Distilling CO.

South & East Elevations - Paradise, CA

April 27, 2021
(11x17)



**TOWN OF PARADISE
MITIGATED NEGATIVE DECLARATION REGARDING ENVIRONMENTAL EFFECT**

1. Description of Project:

Conditional Use Permit application to establish a distillery including the conversion of an existing 4,800 square foot storage building to be used as a distillery, warehouse, and tasting room on a 17.95-acre parcel zoned Agricultural Residential, 3-acre minimum (AR-3). The project would also include the construction of a future 4,300 square foot structure which would be utilized as a tasting room and barrel storage area.

2. Name and Address of Project Applicant:

Melissa Schuster and Cliff Jacobson
3300 Inspiration Lane
Paradise, CA 95969

3. The Initial Study for this Project was Prepared on: September 8, 2021

4. NOTICE IS HEREBY GIVEN that the Planning Director of the Town of Paradise has reviewed the project described above pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code) and determined that it will not have a significant effect on the environment. An Environmental Impact Report will not be required.

5. A copy of the Planning Director's determination regarding the environmental effect of this project is available for public inspection at the Town of Paradise Development Services Department, Building Resiliency Center, 6295 Skyway, Paradise, CA. Copies thereof will be provided to any person upon payment of the established fee.

6. Any person wishing to respond to this negative declaration may file written responses no later than October 18, 2021 with the Paradise Development Services Department, Building Resiliency Center, 6295 Skyway, Paradise, CA 95969, (530) 872-6291(Ext. 417). The Planning Director or the Planning Commission will review such comments and will either uphold the issuance of a negative declaration or require an environmental impact report to be prepared.

7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: 
Susan Hartman, Planning Director

Date: 09/08/21

INITIAL STUDY
FOR THE
“BURNT BARN DISTILLERY” PROJECT
CONDITIONAL USE PERMIT [PL20-00279]

**PROJECT DESCRIPTION AND
ENVIRONMENTAL SETTING FOR THE
“BURNT BARN DISTILLERY” PROJECT
CONDITIONAL USE PERMIT [PL20-00279]**

PROJECT DESCRIPTION

The Applicant of the “Burnt Barn Distillery” project has filed applications requesting that the Town of Paradise approve a conditional use permit [PL20-00279], to authorize the establishment of a distillery within a 4,800 sq. ft. metal structure and the future construction of a 4,300 sq. ft. tasting room and barrel storage area.

ENVIRONMENTAL SETTING

Location

The subject parcel, identified with assessor’s parcel number 055-090-064, is located at 195 Wayland Road, Paradise California, in Butte County. The project site is located near the southern boundary of the Town. The site is located to the east of Neal Road and north of Wayland Road. It is located within the S 1/2, SE 1/4, SW 1/4 of Section 28, Township 22 N, Range 3E, Mount Diablo Base & Meridian.

Land Use and Access

The property was severely damaged in the 2018 Camp Fire. In the fire, a large residential structure was lost. The property presently holds a recently constructed \pm 4,800 sq. ft. metal building, a small shed building, and a covered patio structure. The foundation of the burned residence still stands on the property. The majority of the 17.95-acre parcel is undeveloped. The parcel is accessed from the southern property boundary through Wayland Road, a public street.

Immediately adjacent to the parcel are 5 parcels sharing the Agricultural Residential 3-acre minimum zoning designation. The northern property boundary borders a parcel with a recently rebuilt residence. The eastern property boundary borders 3 parcels, the northern 2 of which are owned by the project proponents and contained residential structures. The western property boundary borders a developed parcel that contains a standing residence and appurtenant structures. The southern property boundary borders Wayland Road.

Vegetation, Topography and Soils

The project site was substantially burned in the 2018 Camp Fire. The majority of the property’s trees were killed in the fire. The subject parcel has an elevation of between approximately 1,150 and 1,270 feet. A small year-round creek, known as Calhouse Creek, runs through the property from the north to south along the property’s lowest elevation areas. A small pond is also present on the property. Prior to the 2018 Camp Fire, the property and

surrounding area had land cover containing a mix of shrub land, deciduous forest, and evergreen forest. Vegetation on the property was burned by the Fire, with a mix of dead and living trees remaining.

Soils underlying the project site are characterized as “AD 0-30%” (Aiken deep – zero to thirty percent slope). This soil is primarily found in the southern half of Paradise. The AD 0-30% soils are generally found to depths of 40-60” and drain well, making them excellent for the treatment of wastewater. The site also contains soils along the creek which are classified as “TW-MA”, a combination of two unnamed series containing seasonal water tables and slopes of between 0 and 10%.

Public Services

Services and facilities available or potentially available to the project site include, but are not limited to the following listing:

Access:	Wayland Road
Communications:	AT&T Telephone /Comcast Cable Services
Electricity:	Pacific Gas and Electric Company
Public Safety:	Town of Paradise
Recreation:	Paradise Recreation and Park District
Schools:	Paradise Unified School District
Sewage Disposal:	Two onsite wastewater treatment/disposal systems
Water Supply:	Paradise Irrigation District

PROJECT DETAILS

The current proposal for the “Burnt Barn Distillery” project includes the use of a recently permitted metal building and the eventual construction of second structure. One would contain the distillery and tasting area and the second would include a tasting room and barrel storage area.

The distillery building, proposed as a 4,800 sq. ft. metal building, would house distilling equipment, a barrel storage area, a small tasting room, and an outdoor seating area. The secondary structure, which would occupy approximately 4,300 square feet, would include an area for barrel storage and a larger tasting room. The second structure would be built at a later date.

The initial development would also include new paved access ways and gravel parking areas for employees and customers which would occupy approximately 1.6 acres. A paved walking path along a creek on the property would also be established as a recreational addition to the project.

The project would include the establishment of several site improvements including parking areas, driveways, and wastewater disposal infrastructure. Road access serving the distillery

is proposed as an existing compacted gravel driveway to be utilized by workers and delivery vehicles. Another proposed gravel access way would allow customers into a proposed parking area. Both access ways would link to Wayland Road, a collector street.

The mode of wastewater disposal for the proposed development will be the construction, installation, and operation of a discharge tank for distillery waste. Human waste from the operation of the proposed tasting room would utilize a standing septic system that previously served a residence on the property.

Other site improvements associated with the proposed distillery include but are not limited to: 1) The extension and installation of underground utilities (including water service laterals and electrical connections) 2) compacted gravel parking spaces for accommodating occupants and visitors to the distillery; and 3); on-site signage.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

1. **Name of Proponents:** Melissa Schuster & Cliff Jacobson
2. **Address and phone number of proponents:** 3300 Inspiration Lane, Paradise, CA; (530) 228-0941
3. **Date of checklist:** September 8, 2021
4. **Zoning and general plan designation:** Zoning: Agricultural Residential 3-acre minimum (AR-3)
General Plan designation: Agricultural Residential (AR)
5. **Name of proposal, if applicable:** Burnt Barn Distillery Conditional Use Permit

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
1.	LAND USE AND PLANNING. Would the proposal:						
	a.	Conflict with general plan designation or zoning?	1, 8				X
	b.	Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	1, 8				X
	c.	Be incompatible with existing land use in the vicinity?	9			X	
	d.	Affect agricultural resources or operations	8				X

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		(e.g. impacts to soils or farmlands, or impacts from incompatible land uses)?					
	e.	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	9			X	
2.	POPULATION AND HOUSING. Would the proposal:						
	a.	Cumulatively exceed official regional or local population projects?	1, 8			X	
	b.	Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	1, 8			X	
	c.	Displace existing housing, especially affordable housing?	1, 8				X
3.	GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:						
	a.	Fault rupture?	11, 12			X	
	b.	Seismic ground shaking	11, 12			X	
	c.	Seismic ground failure, including liquefaction?	11, 12			X	
	d.	Seiche, Tsunami or volcanic hazard?	13				X
	e.	Landslides or mudflows?	11			X	
	f.	Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	10			X	
	g.	Subsidence of the land?	12			X	
	h.	Expansive soils?	7			X	
	i.	Unique geologic or physical features?	1				X
4.	WATER. Would the proposal result in:						
	a.	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	3, 10			X	
	b.	Exposure of people or property to water related hazards such as flooding?	3, 10			X	

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		c.	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	3, 10		X	
		d.	Changes in the amount of surface water in any water body?	3, 10			X
		e.	Changes in currents, or the course or direction of water movements?	3, 10			X
		f.	Change in the quantity of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	14			X
		g.	Altered direction or rate of flow of groundwater?	14			X
		h.	Impacts to groundwater quality?	14			X
		i.	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	14			X
5.		AIR QUALITY. Would the proposal:					
		a.	Violate any air quality standard or contribute to an existing or projected air quality violation?	15, 16		X	
		b.	Expose sensitive receptors to pollutants?	9	X		
		c.	Alter air movement, moisture, or temperature, or cause any change in climate?	10			X
		d.	Create objectionable odors?	10			X
6.		TRANSPORTATION/CIRCULATION. Would the proposal result in:					
		a.	Increased vehicle trips or traffic congestion?	9			X
		b.	Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	10			X
		c.	Inadequate emergency access or access to nearby uses?	17		X	
		d.	Insufficient parking capacity onsite and offsite?	10			X

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		e. Hazards or barriers for pedestrians or bicyclists	1				X
		f. Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	10				X
		g. Rail, waterborne or air traffic impacts?	9				X
7.		BIOLOGICAL RESOURCES. Would the proposal result in impacts to:					
	a.	Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals and birds)?	5, 17		X		
	b.	Locally designated species (e.g. heritage trees)?	1				X
	c.	Locally designated natural communities (e.g. oak forest, coastal habitat, etc.)?	1				X
	d.	Wetland habitat (e.g. marsh, riparian and vernal pool)?	7, 9, 17		X		
	e.	Wildlife dispersal or migration corridors?	1, 6				X
8.		ENERGY AND MINERAL RESOURCES. Would the proposal:					
	a.	Conflict with adopted energy conservation plans?	1				X
	b.	Use nonrenewable resources in a wasteful and inefficient manner?	1, 10				X
	c.	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	1, 18, 19				X
9.		HAZARDS. Would the proposal involve:					
	a.	A risk of accidental explosion or release of hazardous substances (including, but not limited to; oil, pesticides, chemicals or radiation)?	10			X	
	b.	Possible interference with an emergency response plan or emergency evacuation plan?	20, 22				X
	c.	The creation of any health hazard or potential	10			X	

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		health hazard?					
	d.	Exposure of people to existing sources of potential health hazards?	10			X	
	e.	Increased fire hazard in areas with flammable brush, grass or trees?	21, 10			X	
10.	NOISE. Would the proposal result in:						
	a.	Increases in existing noise levels?	10, 23			X	
	b.	Exposure of people to severe noise levels?	10, 23			X	
11.	PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:						
	a.	Fire protection?	4, 9, 10			X	
	b.	Police protection?	9, 10			X	
	c.	Schools?	1, 9, 10			X	
	d.	Maintenance of public facilities, including roads?	1, 9, 10				X
	e.	Other governmental services?	9, 10				X
12.	UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:						
	a.	Power or natural gas?	9, 10			X	
	b.	Communications systems?	9, 10			X	
	c.	Local or regional water treatment or distribution facilities?	17			X	
	d.	Sewer or septic tanks?	10, 17				X
	e.	Storm water drainage?	3, 9, 10				X
	f.	Solid waste disposal?	10			X	
	g.	Local or regional water supplies?	4, 17				X
13.	AESTHETICS. Would the proposal:						
	a.	Affect a scenic vista or scenic highway?	1, 24, 25				X
	b.	Have a demonstrable negative aesthetic	9, 10			X	

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		effect?					
		c. Create light or glare?	8, 10			X	
14.		CULTURAL RESOURCES. Would the proposal:					
		a. Disturb paleontological resources?	10		X		
		b. Disturb archaeological resources?	2, 10, 27		X		
		c. Affect historical resources?	26				X
		d. Have the potential to cause a physical change which would affect unique ethnic cultural values?	27				X
		e. Restrict existing religious or sacred uses within the potential impact area?	27				X
15.		RECREATION. Would the proposal:					
		a. Increase the demand for neighborhood or regional parks or other recreational facilities?	10				X
		b. Affect existing recreational opportunities?	10				X
16.		WILDFIRE. If located in or near state responsibility areas or lands classified as a very high fire hazard severity zones, Would the project:					
		a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	17, 22				X
		b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	10, 17			X	
		c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	10, 17			X	
		d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	10, 17			X	

			SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
17.	Greenhouse Gas Emissions. Would the project:						
	a.	Generate greenhouse gas emissions, either directly, or indirectly, that may have a significant impact on the environment?	10, 16			X	
	b.	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	10, 16				X
18.	MANDATORY FINDINGS OF SIGNIFICANCE.						
	a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
	b.	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?				X	
	c.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connect with the effects of past projects, the effects of other current projects, and the effects of probable future projects).				X	
	d.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

III. DISCUSSION OF ENVIRONMENTAL EVALUATION

- General Evaluation:** Potential environmental impacts associated with the proposed project have been identified upon the preceding environmental review checklist form. It has been determined that the proposed project will not result in a significant adverse effect on the environment because the project applicant agrees to application of the

mitigation measures contained within this Initial Study.

The text that follows identifies and evaluates potential impacts and mitigation measures designed to minimize the potential environmental effects to a less than significant level. All mitigation measures contained within this initial study shall be incorporated into the proposed project either by the project applicant or the Town of Paradise

a. Item 1 – Land Use and Planning:

A, B: The subject parcel is located in an Agricultural Residential 3-acre minimum (AR-3) Zone, which has an underlying general plan designation of Agricultural Residential (AR). The AR-3 zone allows for agricultural processing land uses subject to permit approval. The AR general plan designation does not conflict with the proposed distillery use as it allows for a range of agricultural production land uses.

The project would not conflict with any local environmental plans or policies and is in line with the requirements of the Town's general plan and zoning code. No conflict with the general plan designation, zoning or land use plans, policies, or regulations would occur as a result of the project. There would be no impact.

C: The surrounding land uses are residential in nature. However, the AR-3 zoning also permits a range of agricultural activities. The proposed distillery land use would not be out of character for the neighborhood considering its rural nature and zoning designation. In addition to the project's compatibility with the surrounding area, the project would result in a small increase in developed area on the subject parcel. The combined square footage of the proposed buildings would be $\pm 9,100$ sq. ft., approximately 1.2% of the area of the 781,902 sq. ft. parcel. The project would be compatible with the surrounding area and would have a less than significant impact.

D: The project will create an agricultural land use considered by the Town of Paradise to be "agricultural processing". The proposed project would not be out of character for agricultural land and is not considered to be an incompatible land use. There would be no impact to agricultural resources or operations.

E: The proposed project is contained to a single parcel and would not create any physical barriers or other impediments that could affect the surrounding community. No aspect of the proposed project will physically divide a community and therefore, the project would have a less than significant

impact.

b. Item 2 – Population and Housing

A, B: The Town of Paradise lost much of its housing in the 2018 Camp Fire, which also resulted in a substantial reduction in the population of the Town. Any increase in population that could result from the project could only begin to replenish population levels to a fraction of their previous levels. Unplanned growth would not occur as a result of the project. No regional or local population project would be exceeded due to the development of the project. Impacts would be less than significant.

C: No housing would be demolished, and no residents or other people would be displaced as a result of the project. No replacement housing would be required. There would be no impact.

c. Item 3 – Geologic Problems

A, B, C: The project is located in an area with the possibility of strong seismic ground shaking, as is much of California. The 2019 Butte County Local Hazard Mitigation Plan lists the Town's vulnerability to earthquakes as high, but outlines those occurrences are unlikely. The project is not located in an area with any identified earthquake fault zone. The Plan lists the potential of future earthquake and liquefaction as "occasional/unlikely" and lists the area as having a generally low potential for liquefaction. However, the proposed structures, being built to current code standards, would not be at a high risk from seismic activity. The project is not located in area identified as a liquefaction zone by the California Department of Conservation (See figure 1). The likelihood of any effects from fault rupture, seismic ground shaking, seismic ground failure, and liquefaction are low. Impacts would be less than significant.

D. The project is not located near the ocean or any body of water substantial enough to be subject to seiche risks. The USGS indicates that the project is not located within a volcanic hazard zone. The project would not be at risk from volcanic hazards. There would be no impact.

E. The project is not located in area identified as a landslide zone by the California Department of Conservation. The 2019 Butte County Local Hazard Mitigation Plan shows that the project area has a low to moderate landslide potential. The impact from the proposed project would be less than significant.

F. Long term soil erosion and loss of topsoil are not expected from the operation of the distillery. Soil disturbances in the long-term operation of

the facility would be limited to light vehicle traffic on established, compacted driveways. Soil erosion and loss of topsoil can potentially result from the short-term construction activities required to establish the project facilities. The Town's required Erosion and Sediment Control Plan would keep ensure that project activities did not cause soil erosion and impacts to topsoil. The impact of the project would be less than significant.

G. The project is not located in close proximity to any fault and is unlikely to be subject to landslides or liquefaction (See figures 1 and 2). The proposed project is not expected to be at risk from geologic hazards. The structures would be built to current California code, further reducing any risk of geologic hazards. The impact from the proposed project is expected to be less than significant.

H. The project area has not been assessed for the presence of expansive soils. However, the site is located in an area identified as having well-drained and well-structured soils as determined through the comprehensive, town-wide soils survey conducted in 1992. The proposed structures would be built to current California building code, which includes provisions to safeguard against structural failure. A less than significant impact from the project is expected.

I: No locally recognized unique geological or physical features are located on the project site. There would be no impact from the project.

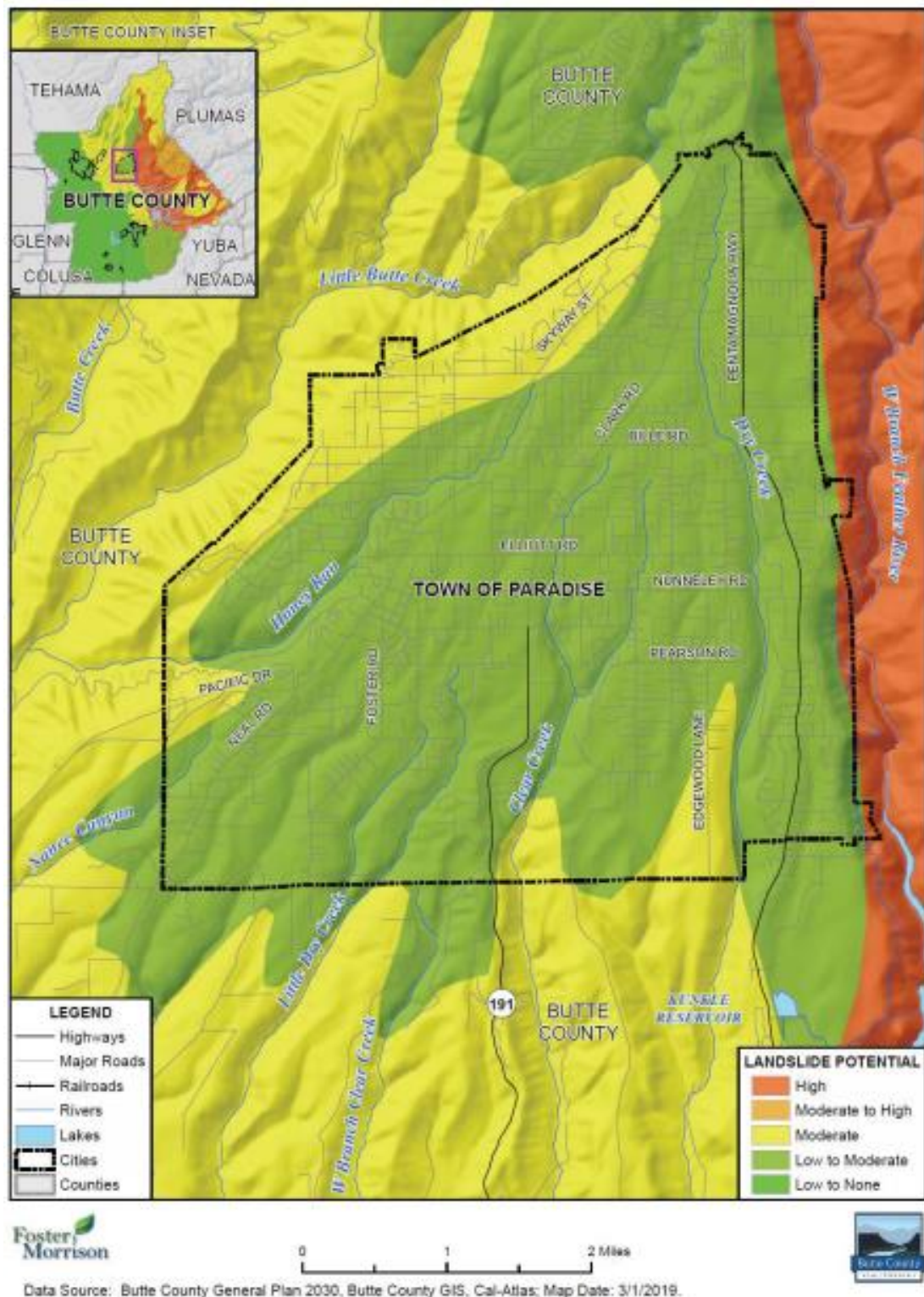


Figure 2: Landslide Potential

d. Item 4 – Water

A, B: The proposal does not include any features that would increase surface runoff or alter surface runoff substantially enough to cause water related hazards or flooding. Impacts from surface runoff on-or-off site are expected to be less than significant.

C: Construction activities undertaken as part of the project have some potential to cause runoff, siltation, and other alterations to surface water quality. Construction of the proposed buildings would have a low risk of causing runoff that would affect Calhouse Creek due to their distance from the creek. The construction of the proposed walking trail has the potential to cause runoff, siltation, and other impacts that could affect the creek. Impacts from construction materials can be mitigated through adherence to the required erosion and sediment control plan. The following mitigation measures would be required to reduce the potential impact below the level of significance:

Water 1: Any construction debris shall be prevented from falling into the stream channel. Any material that does fall into a stream during construction shall be immediately removed in a manner that has minimal impact to the streambed and water quality.

Water 2: When ground-disturbing activities are required adjacent to surface water, wetlands, or aquatic habitat, sediment and turbidity barriers shall be utilized.

Water 3: Deposit or store excavated materials away from drainage courses and cover if left in place for more than 5 days or if storm events are forecast within 48 hours.

D, E: The project does not propose any activities that would change the amount of surface water in any water bodies. No changes in currents or flow directions would result from the project. There would be no impact from the project.

F, G, H, I: The project is located on a parcel which would remain primarily pervious to water. The proposed construction of impervious features that could alter drainage would be limited to approximately 1.2% of the parcel. No underground construction would take place as part of the proposed project. Groundwater in the area would not be reduced, have its flow altered, be interrupted, or otherwise impacted. No wells would be utilized to provide water for the project. The project would not result in decreased groundwater

availability for public water supplies. Potential contaminants from wastewater systems are controlled by adherence to the Town of Paradise's Local Area Management Program, as approved by the Central Valley Water Board in 2016. No project components would introduce contaminants to groundwater, meaning there would not be a risk of contamination. There would be no impact from the proposed project.

e. Item 5 – Air Quality

A: The project location is subject to the requirements of the Northern Sacramento Valley Planning Area 2018 Triennial Air Quality Attainment Plan and the Butte County Air Quality Management District (BCAQMD). A project would be considered to conflict with the goals of the Plan if it were to result in or induce growth in population, employment, land use, or regional vehicle miles travelled that is inconsistent with the growth projections of the plan. The proposed project, being a small distillery, would not result in any measurable direct or indirect population growth or residential development. The proposed project would be primarily family-run and would not create a substantial increase in employment. The proposed project would alter the land use of the parcel from its previous residential use to the distillery use but is not expected to result in any other changes to land use in the area. The proposed project, being commercial in type, would include a total square footage of approximately $\pm 9,100$. The BCAQMD screening recommendations preclude further analysis. Because the project would not exceed the threshold of 15,000 sq. ft., further quantification of criteria air pollutants is not necessary and a less-than-significant impact for criteria air pollutants may be assumed.

B: No parks, playgrounds, schools, hospitals, day care center, nursing homes, hospitals, or other similar sensitive receptors are located in proximity to the proposed project. No sensitive receptors such as those listed would be affected. The proposed project site is located in a residentially zoned area. There are approximately 58 residentially zoned parcels within 1,000 feet of the subject parcel. Of these, 7 contain a home that was not destroyed in the Camp Fire. 3 have been able to rebuild, and another 12 are in the process of rebuilding as of the drafting of this initial study. The project may cause short-term impacts to air quality typical of construction projects including dust and vehicle emissions from increased vehicle use and heavy equipment, grading, and road base application. No long-term operational impacts would occur as a result of the proposed project. The potential residential exposure to pollutants from short term construction can be reduced below a potentially significant level with the following mitigation measures and best management practices:

Air Quality 1: *Maintain all construction equipment in proper tune*

according to manufacturer's specifications;

Air Quality 2: *Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);*

Air Quality 3: *Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.*

C: The project would not create any structures or features that could potentially alter air movement, moisture, temperature, or create any change in climate. Heat produced by the burner would not be substantial enough to cause increases to the ambient temperature of the surrounding area and would be contained within the distillery building. There would be no impact from the proposed project.

D: The distilling process utilizes a closed system that would not produce any significant airborne odors. There would be no impact from the proposed project.

f. Item 6 – Transportation / Circulation

A: The project would create an increase in vehicle trips in the area of Wayland Road including traffic from employees, customers, and occasional material deliveries. However, because the Town of Paradise and the area of Wayland Road lost such a substantial portion of its population, traffic impacts from the proposed project would not exceed the amount of traffic Wayland Road supported before the fire. There would be no impact from the proposed project.

B: The project would make no changes to any public or private road. The project would not create any hazardous design features such as sharp curves, dangerous intersections, or similar features. No incompatible use is proposed as part of the project. No impact would occur as a result of the project.

C: The project site is served by the Paradise Fire and Police departments. The project proposal has been reviewed by the Town fire official and Police Chief. Ingress and egress has been deemed sufficient for emergency vehicles. No portion of the project would affect the ability of emergency services to access and serve the property or reduce their ability to serve other properties in town. The project would not result in inadequate emergency access. The impact of the project would be less than significant.

D: The project proposal includes a total of 69 parking spaces, well above the minimum number of spaces required by the Town of Paradise. The proposed

parking for the project would be sufficient. There would be no impact.

E, F: Circulation is governed by the Town of Paradise General Plan's circulation element, Town code regarding streets and public places, and Town code regarding vehicles and traffic. The project would not conflict with any provision of the general plan or any other governing document. No pedestrian, public transit, or bicycle facilities are in or near the project area. The proposed project would not conflict with any applicable plans and no impacts would result. No project components would create hazards or barriers to pedestrians or bicyclists. There would be no impact from the proposed project.

G: No railway, Airport land use zone, or navigable waters are located near the project area. There would be no impact to rail, waterborne, or air traffic.

g. Item 7 – Biological Resources

A: The U.S. Fish and Wildlife Service BIOS map viewer indicates that the Hamlin Canyon USGS quad, containing the subject parcel, has the potential to contain several Federal and State endangered and threatened species. The species potentially present in the Hamlin Canyon USGS Quad are listed in the figure below:

Scientific Name	Common Name	Status – State	Status – Federal
<i>Rana boylei</i>	foothill yellow-legged frog (amphibian)	Endangered	None
<i>Haliaeetus leucocephalus</i>	bald eagle (Bird)	Endangered	Delisted
<i>Antigone canadensis tabida</i>	greater sandhill crane (Bird)	Threatened	None
<i>Laterallus jamaicensis coturniculus</i>	California black rail (Bird)	Threatened	None
<i>Strix nebulosa</i>	great gray owl (Bird)	None	Endangered
<i>Oncorhynchus tshawytscha</i> pop. 11	chinook salmon - Central Valley spring-run ESU (Fish)	Threatened	Threatened
<i>Oncorhynchus mykiss irideus</i> pop. 11	steelhead - Central Valley DPS (Fish)	None	Threatened
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp (Crustacean)	None	Endangered
<i>Euphorbia hooveri</i>	Hoover's spurge (Plant)	None	Threatened
<i>Tuctoria greenei</i>	Greene's tuctoria (Plant)	Rare	Endangered

Figure 3: Endangered and Threatened Species within the Hamlin Canyon Quadrangle

Any potential habitat for these listed species was likely destroyed or significantly reduced in the 2018 Camp Fire, which significantly damaged the project parcel. Impacts to endangered, threatened, and rare species are not expected as a result of the proposed project. However, presence of some of these species are possible. Initial consultation with the United States Fish and Wildlife Service was conducted on 3/9/2021 and potential for the presence of yellow legged frog habitat was outlined. To reduce the potential impact of construction activities below the level of significance, the following mitigation measures would be applied:

Biology 1: *If construction of the additional proposed structure would take place outside of the nesting season (August to January), then preconstruction nest surveys would not be necessary. However, if construction would take place during the nesting season (February-July), then preconstruction nest surveys shall be conducted as follows in order to avoid any potential impacts to nesting birds.*

The Property Owner shall retain a qualified biologist to conduct preconstruction nesting surveys within two weeks prior to the start of construction. If raptors or special-status birds are nesting within 200 feet of the project site, a minimum 200-foot non-disturbance buffer shall be established around the nest site. If a non-special-status bird that is subject to the Migratory Bird Treaty is identified nesting on the project site or within 50 feet of the project site, a non-disturbance buffer of 50 feet shall be established around the nest site. The 200-foot nesting buffer may be modified to a minimum of 100 foot if a qualified biologist determines that the nesting birds are acclimated to human disturbance. Any reduction in the buffer size would require routine monitoring by a qualified biologist until such time that young fledge (leave the nest).

Biology 2: *Seventy-two hours prior to construction activities involving the proposed walking trail along in the Unnamed Stream (aka Calhouse Creek) and the adjacent riparian habitat, a preconstruction survey for foothill yellow-legged frogs will be conducted by a qualified biologist. The biological monitor will possess any necessary permissions from the California Department of Fish and Wildlife that authorizes the biologist for the capture and release of amphibians in case a foothill yellow-legged frog is observed in the work area. Survey results will be documented in a letter report and submitted to the Town of Paradise.*

Biology 3: *In the event that yellow-legged frog presence is discovered in*

Calhouse creek, a qualified biological monitor will be engaged to ensure that no foothill yellow-legged frogs are harmed during the construction of the creek trail. The biological monitor will possess any necessary permissions from the California Department of Fish and Wildlife that authorizes the biologist for the capture and release of amphibians in case a foothill yellow-legged frog is observed in the work area.

B, C: The Town of Paradise General Plan outlines several goals and policies related to the preservation of trees or other natural communities. The project would remove several trees that were killed in the Camp Fire. Because the trees to be removed are dead, the project would not conflict with any local policy or ordinance protecting them. The project would not conflict with any other local policy or ordinance protecting biological resources. There would be no impact.

D: The project parcel contains a creek running north to south across the property. Riparian habitat and is present along the creek. The TW-MA soil classification, which contains seasonal water tables, is located in the area of the creek. The proposed distillery would be located approximately 255' from the nearest portion of the creek. The proposed expanded facility, to be constructed during the second phase, would be located approximately 100' from the creek at its closest point. The proposed buildings are not anticipated to cause any impacts to riparian habitat on the property. The project proposes a paved walking trail along the creek in addition to the distillery facilities. The construction of this trail has the potential to cause impacts to the riparian habitat of the creek. However, impacts such as materials runoff and eutrophication can be reduced below the level of significance using construction best management practices and the mitigation measures listed below:

Bio-4: *No debris, soil, silt, cement that has not set, oil, or other such foreign substance will be allowed to enter into or be placed where it may be washed by rainfall runoff into Calhouse Creek or any other water body. When operations are completed, any excess materials or debris shall be removed from the work area.*

E: A CNDDDB record search did not indicate that any wildlife corridors or wildlife nursery sites would be located in the project area. The project is not located in an area identified as being within the area of any migratory deer herd, as outlined in the Town's General Plan. The project would not create any barriers that would impede the movement of wildlife. Proposed structures on the property do not cover a substantial enough area to impede the movement of wildlife. No structures or other impediments are proposed in the creek. No impact from the project is expected.

h. Item 8 – Energy and Mineral Resources

A: The Town of Paradise has no published renewable energy plans. The project would be built to current California building code, including all energy use standards. No conflict with local or State energy plans are expected. There would be no impact from the proposed project.

B: The project is expected to incur no larger an energy expense than is typical of similar small commercial buildings during construction. The proposed project proposed would be required to be constructed in accordance with current Town adopted California Building Standards Code energy-efficiency standards and CalGreen building design features. The proposed project does not include any features not necessary for the simple operation of the distillery. No wasteful expenditure of energy is expected because of the project. There would be no impact.

C: The proposed project location is not within or within proximity to any State identified Surface Mining and Reclamation Act study areas or any existing mines. The Town of Paradise does not identify any locally important mineral resources sites in its general plan or any other policy document. No impact would result from the proposed project.

i. Item 9 – Hazards

A, C, D: The project's short-term construction would include the transport and use of potentially hazardous materials including concrete and solvents. The use of these materials is typical of construction projects and would not indicate a high risk of hazards to the public or environment. Operation of the distillery would include the production, storage, and transport of potentially hazardous distilled spirits. These spirits can pose a potential hazard if spilled or leaked into the surrounding environment. These risks would be reduced by the fact that the proposed distillery would operate on a relatively small scale, producing approximately 1 to 2 barrels per week. The risk of creating hazards to the public is low due to the rural and sparsely populated location of the project. Production, storage, and transportation of potentially hazardous materials would be managed through a Hazardous Materials Business Plan administered by the Butte County Department of Environmental Health. Mitigation measures to reduce the risk of any potential risk related to hazardous materials would be imposed by the plan. Impacts from the project would be less than significant.

B: The subject parcel is located within the area of the Butte County Local Hazard Mitigation Plan and the Town of Paradise & Upper Ridge Wildfire Evacuation Plan. The project would not create any structures or other impediments that would affect the execution of the Wildfire Evacuation Plan or any other

emergency response actions. The Town Fire Official has concluded that appropriate ingress and egress for emergency vehicles has been proposed for the project. The project would have no impact to emergency response or evacuation.

E: The subject parcel is designated by Cal Fire as a being within a non-very high fire hazard severity zone. However, the entire Town of Paradise, through local ordinance, is designated as very high fire severity zone. The majority of trees in the project area were destroyed in the 2018 Camp Fire and would be removed before construction began, reducing the potential for any fires to spread to areas with a higher risk of fire. The impact is expected to be less than significant.

j. Item 10 – Noise

A, B: The short-term construction activities required to construct the project would cause a temporary increase in ambient noise levels on the project site. Construction activities would be subject to the restrictions of the Town Noise Ordinance and would not cause a significant impact. Long term increases to ambient noise levels are not expected as a result of the project. Distillery equipment and operations would not produce noise in excess of limitations put in place by the Town Noise Ordinance. Due to the large size of the property, which is over 17 acres, it is unlikely that noise would travel far enough to cause any disturbance. Impacts from the project related to noise would be less than significant.

k. Item 11 – Public Services

A: The proposed project would not create a need for new government services or facilities. The Town has the capacity to provide services such as fire protection, police protection, schools, parks, and other services, for a larger population than currently resides in Paradise. The project would not conflict with any Town of Paradise General Plan goals, policies, or programs related to public services. Fire protection services are provided by the Paradise Fire Department. Fire flow requirements are the responsibility of the Paradise Fire Department with the cooperation of the Paradise Irrigation District (PID). Information provided by the Fire Department and the PID indicate that fire flows in the vicinity are sufficient to serve the needs of the project. The Town Fire Official has indicated that the proposed ingress and egress to the property would be suitable for emergency vehicle access. The project would result in a less than significant impact to fire protection services.

B: Policing services in the project area are provided through the Paradise Police Department. No concerns were expressed during the Police Department's review of the project proposal. The project, being a relatively small and rural

development, would not cause an increased demand for police services. Impacts to police protection from the project would be less than significant.

C: No new homes would be constructed as part of the proposed project. No measurable or foreseeable impact to school services would result from the project. Impact fees to the Paradise Unified School District would be required for new construction occurring with the project. These fees would offset any possible impacts. Impacts to school services from the proposed project would be less than significant.

D: The proposed project would create no new housing or increase residential capacity. No Town parks would need to create new facilities or expand existing facilities as a result of the project. No impact to parks services would result from the proposed project.

E: The project would not create any new housing or otherwise increase the residential capacity of the Town. Public facilities would not need to increase their size or capacity to accommodate the project. Impacts to other public facilities would be less than significant. The project site is located within the Town of Paradise and is currently served by the Paradise Fire Department and Paradise Police Department. No new facilities, increases to service area, or other impacts to city services would result from the proposed project.

I. Item 12 – Utilities and Service Systems

A, B: Power demand for the project would be typical of a small commercial project. No excessive power demand would be created by the project. The property would have electrical and natural gas established through PG&E. Replacement infrastructure including undergrounded electric lines, natural gas, phone, and internet lines would need to be reconnected to bring power, natural gas, and communication to the proposed project site. Impacts from these installations are limited to the Project area and would not require the installation of new infrastructure elsewhere. Impacts from the project would be less than significant.

C: No new construction of water treatment facilities would be required for the project. A replacement service lateral connection from the nearest water main would be required due to damage from the Camp Fire. These upgrades are typical of fire-damaged properties. The Paradise Irrigation District indicated that it has the capacity to serve the proposed water requirements. Impacts from the proposed project would be less than significant.

D: The project would be served by two wastewater treatment systems built on the project parcel. One system which previously served a residence on the

property would treat wastewater from the tasting room and restrooms, which would include human waste. The other would handle wastewater from the distilling process. This distillery system would consist of an underground discharge tank and would include no human waste. The standing system has been approved by the Town of Paradise Sanitary Official and would be sufficient in capacity to handle waste generated by the proposed project. Regular mandated inspections guarantee that wastewater treatment systems in the Town's jurisdiction remain in working order for the capacity they serve. The proposed wastewater system for wastewater produced in the distillery process would be permitted by the Central Valley Regional Water Board (CVRWB). Management, maintenance, and periodic inspections of the wastewater system would be performed at the requirement of the CVRWB. The wastewater systems proposed to serve the project would be adequate for the required capacity. No impact would occur as a result of the project.

E: The proposed project would not create substantial new impervious surface areas. Runoff from new impervious surfaces is not expected to be substantial enough to cause damage or impacts to the property or adjacent areas. No storage of materials that could cause polluted runoff would take place as part of the project. All storage of materials would be done indoors. The proposed project would be required to comply with the Town's post-construction standards, ensuring that post-construction runoff rates would not exceed those of the project site's pre-construction conditions in compliance with the Town's MS4 Permit through the State Water Board. No impact would occur as a result of the project.

F: Solid waste would be generated during the construction process. However, Calgreen standards require at least 65% of nonhazardous construction and demolition waste to be recycled and/or salvaged. These State recycling standards ensures that short-term construction waste would amount to a less than significant impact. No aspect of the long-term operation of the proposed project is expected to generate an unusual or excessive quantity of solid waste. Impacts would be less than significant.

G: Water service in the Town of Paradise is established through the Paradise Irrigation District. The proposed distillery project has been reviewed by the Paradise Irrigation District who has confirmed that the project would have sufficient water supplies to serve its use. There would be no impact from the project.

m. Item 13 – Aesthetics

A: There are no State Scenic Highways or eligible State Scenic Highways in the Town of Paradise according to the California Department of

transportation. The Town of Paradise General Plan recognizes several Scenic Corridors and Gateway areas. No locally identified scenic gateway is located near the proposed project area. The nearest locally recognized scenic corridor area, located along a portion of Neal Road is approximately 870 feet from the proposed project parcels western boundary. No portion of the Neal Road scenic corridor boundary intersects the proposed project area. No impact to the aesthetic resources or visual character of the locally recognized scenic gateway areas or scenic corridors would result from the proposed project.

The Town of Paradise General Plan does not expressly identify any scenic vista areas in the Town. The nearest Caltrans Vista Point is the butte County Vista Point on Highway 70, which is located approximately 6.5 miles from the site of the proposed distillery. No impacts to State recognized or eligible scenic highways would occur as a result of the proposed project. The proposed project would have no impact on any recognized local or State scenic vista.

B: The proposed project is located on a property that was substantially damaged in the 2018 Camp Fire. Most structures, trees, and other vegetation on the site were completely burned in the fire. No living trees would be removed as part of the proposed project. The proposed project would include the construction of two additional buildings as well as proposed parking areas. However, due to the extent of the recent fire damage on the project site, impacts to the visual quality of the proposed project site would be less than significant.

C: The proposed project would result in a minor increase to nighttime light visible on the property. The Town of Paradise requires that all exterior lighting be designed, established, and maintained to reflect away from nearby and adjoining residences within 200 feet. The proposed project would not create new sources of light substantial enough to be considered a significant impact. As designed, and subject to standard Town conditions of approval, the proposed project would have a less than significant impact.

n. Item 14 – Cultural Resources

A, B: No excessive or atypical amount of ground disturbing work is proposed as part of the project. However, all new construction has the potential to unearth previously undiscovered paleontological and archaeological resources. A cultural resources analysis was conducted on portions of the project site on 2/17/21 for emergency tree removal. Based on the limited area reviewed in the survey, no new cultural resource sites were discovered.

However, in the event that a previously undiscovered paleontological and archaeological resource is discovered, the following mitigation measure will be

applied to reduce the potential impact below the level of significant:

Cultural 1: *If, during site preparation activities such as grading, excavation, and the installation of utilities, sewage disposal systems, etc., any archaeological or paleontological resources are discovered, all work shall be immediately halted. The Paradise Development Services Department (planning division) shall be notified of the discovery, and a qualified archaeologist shall be retained, at the expense of the property owner, to perform a site assessment and to develop mitigation measures as appropriate.*

C: No California Historic or archaeological Resources listed by the state Historical Resources Commission are located in the project area. The Town of Paradise does not maintain a list of local historic or archaeological resources. No historical or archaeological resources would be affected by the proposed project. No impact to historical resources would result from the project.

D, E: No locally identified religious or otherwise sacred uses or artifacts are known to be present on the project site. A cultural resources analysis was conducted on portions of the project site on 2/17/21 for emergency tree removal. The analysis concluded that site monitoring would not be recommended. No tribal resources were noted. There would be no impact from the proposed project.

o. Item 15 – Recreation

A, B: The proposed project does not include any new housing or other facilities that would increase local population levels. No recreational facilities would need to be expanded to accommodate the project. No increased demand for or use of recreational facilities would occur as a result of the project. Recreational facilities would not be impacted by the project.

p. Item 16 – Wildfire

A: The Town of Paradise is subject to the evacuation measures outlined in the Town of Paradise Evacuation Traffic Control Plan. No portion of the project would impair access or escape from the property or along nearby Wayland Road. The project proposal has been reviewed by the Town Fire Official who determined that ingress and egress would be suitable for emergency vehicles. No impact to the Paradise emergency evacuation plan would occur as a result of the project.

B: Prevailing winds in the Town of Paradise, known as the Jarbo Gap winds come primarily from the Feather River Canyon area northeast of the Town and blow southwest. Fire risk is high throughout the Town of Paradise, especially

during the Summer and Fall seasons. The project is not expected to cause an increased risk of wildfire danger. All flammable substances and the burner required to distill alcohol would be located indoors in a controlled environment. The development of the proposed parking areas would reduce the amount of unmanaged vegetation on the property and create a fire break. The Town Fire official reviewed the project application and expressed no concern regarding fire risk. The project would have a less than significant impact.

C, D: The project proposes the addition of new gravel parking areas, access roads, and utility connections for the proposed structures. New utility connections to the property would be undergrounded, significantly reducing the risk of fire. The proposed structures and parking areas would not pose a risk of fire higher than any other typical construction. The Town Fire official reviewed the project application materials and did indicate any concern that the project might increase the risk of fire. Impacts from the project would be less than significant.

q. Item 17 – Greenhouse Gases

A: Potential sources of greenhouse gas from the proposed project include vehicle emissions during the construction of the facility and potential emissions from the operation of the distillery. Potential impacts from construction activities would be short-term in nature and would be negligible considering the relatively small scale of the proposed project. Potential emissions from the long-term operation of the distillery include the use of distilling equipment such as a burner, vehicle trips to the property by customers and occasional materials deliveries, as well as electricity used during operation of the facility. New development must adhere to a number of Town policies, building code requirements, development standards design guidelines, and standard practices that contribute to the reduction of greenhouse gasses. Below is a list of standards applied to this project which aid in implementing emissions reductions:

- 1) Compliance with California's Title 24 Building Energy Efficiency Standards for Residential Buildings*
- 2) Consistency with the Town's Design Standards for energy efficiency*
- 3) Consistency with the State's Water Efficient Landscape Ordinance*
- 4) Adherence to Butte County Air Quality Management District mitigation measures for construction sites (e.g., dust suppression measures, reducing idling equipment, maintenance of equipment per manufacturer specs, etc.)*

5) Diversion of 65% of construction waste

Impacts would be less than significant.

B: The Town of Paradise has authored no local plan or policies relating to greenhouse gas emissions. The project would comply with all State regulations regarding GHG emissions. There would be no impact from the proposed project.

r. Item 18 – Mandatory Findings of Significance

A, B: As outlined in the above environmental checklist, the project would not cause impacts with potential to degrade the quality of the environment, threaten habitat, reduce wildlife population levels, threaten plant communities, or negatively affect historical resources. The above checklist demonstrates that the project would have limited overall impact and that any potential impacts would be mitigated in a manner that would reduce them below the level of significance. Impacts would be less than significant with mitigation incorporated.

B: Impacts from the proposed project would be limited in the long term. Most potential impacts outlined in the above checklist would occur as a result of short-term construction activities. The impact would be less than significant.

C, D: The project would be consistent with Town zoning regulations and the Town general plan. No similar projects or developments exist in the surrounding area. As outlined in the above checklist, the project would not cause adverse impacts to traffic, aesthetic resources, safety, noise, or other areas of consideration. The project would not contribute to a larger cumulative impact and would not cause adverse impacts to humans. The impact would be less than significant.

IV. REFERENCES

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2. Town of Paradise Land Use Constraints Diagram, Figure 2-3 (High Archaeological Sensitivity Area), of the 1994 Town of Paradise General Plan
3. Master storm drainage study and facilities plan, Paradise, California, 1980, McCain Associates

4. Paradise Irrigation District water distribution map, 1993
5. USGS topographic map: Cherokee Quadrangle, 1994
6. The California natural diversity data base BIOS web map, state Department of Fish and Wildlife. Web link: [BIOS viewer 5.96.99 \(ca.gov\)](#)
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992
8. Town of Paradise Zoning Ordinance; Town of Paradise Development Services Department
9. Review of surrounding area by Town staff; June 15, 2021
10. Burnt Barn Distillery project application materials submitted to the Town of Paradise on October 20, 2020
11. Butte County Local Hazard Mitigation Plan, Appendix E, Paradise. October 2019. Web Address: [p.pd \(buttecounty.net\)](#)
12. California Geological Survey's Earthquake Zones of Required Investigation webmap. 2021. Web link: [Earthquake Zones of Required Investigation \(ca.gov\)](#)
13. California's Exposure to Volcanic Hazards. United States Geological Survey. December 2019. Web link: <https://pubs.usgs.gov/sir/2018/5159/sir20185159ver1.1.pdf>
14. Town of Paradise Local Area Management Program. Town of Paradise, 2016
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16. CEQA Air Quality Handbook. Butte County Air Quality Management District, 2014. Web Link: [Draft CEQA Handbook – August 16, 2013 \(bcaqmd.org\)](#)

17. Comments from Town Departments and interested Agencies. Compiled 3/16/21.
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21. Very High Fire Hazard Severity Zones in LRA. Map for Paradise. Calfire, 2008. Web Link: [Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Paradise](#)
22. Town of Paradise Evacuation Traffic Control Plan. Town of Paradise, 2015.
23. Town of Paradise Noise Control Ordinance. Town of Paradise. Web link: [Chapter 9.18 - NOISE CONTROL | Code of Ordinances | Paradise, CA | Municode Library](#)
24. California State Scenic Highway System Map. Caltrans, 2018. Web link: [California State Scenic Highway System Map \(arcgis.com\)](#)
25. Caltrans Vista Point Data Set. Caltrans, 2019. Web map: [Caltrans Home : Vistas : Vistas \(arcgis.com\)](#)
26. California Historical Resources. California State Parks Office of Historic Preservation, 2021. Web Link: [California Historical Resources](#)
27. Archaeological Survey. California Office of Emergency Services, 2021. Rosmarie Pavel.

V. **DETERMINATION.**

On the basis of this initial evaluation:

1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. _____
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in this document shall be added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.** _____ **X**
3. I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. _____
4. I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. _____
5. I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. _____



Date 09/08/2021

Susan Hartman

Community Development Director/Planning Director for the Town of Paradise