



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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

www.townofparadise.com

Planning Commission Staff:

Craig Baker, Community Development Director
Susan Hartman, Assistant Planner

Planning Commission Members:

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

PLANNING COMMISSION AGENDA

6:00 PM – June 16, 2015

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact Community Development Director Baker, at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Presiding Clerk. Members of the public may address the Planning Commission on any agenda item, including closed session. If you wish to address the Planning Commission on any matter on the Agenda, it is requested that you complete a "Request to Address Council/Commission" card and give it to the Presiding Clerk prior to the beginning of the Council Meeting.

All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Planning Commission within 72 hours of a Regular Meeting will be available for public inspection at the Town Hall in the Town Clerk or Community Development Services Department located at 5555 Skyway, Room 3, at the time the subject writing or document is distributed to a majority of the subject body. Regular business hours are Monday through Thursday from 8:00 a.m. to 5:00 p.m.

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

1a. Approve Regular Meeting Minutes of October 21, 2014 and May 19, 2015.

2. COMMUNICATION

- a. Recent Council Actions
- b. Staff Comments

3. PUBLIC COMMUNICATION

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

***** PUBLIC HEARING PROCEDURE *****

- | | |
|-----------------------------------|--------------------------------|
| A. Staff comments | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion |
| 1. Project applicant | E. Motion |
| 2. Parties for the project | F. Vote |
| 3. Parties against the project | |
| 4. Rebuttals | |

NOTE: Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for **a maximum of five minutes** unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

- 5a. Hays Parcel Map Application (PL14-00316) Request for town approval of a Parcel Map application proposing to divide an existing +1.68 acre property zoned C-C (Community Commercial) into four parcels of record for commercial use located at 5400 Clark Road and is locally identified as assessor parcel number 054-120-060.

6. OTHER BUSINESS – None.

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

- a. 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: _____	
TOWN/ASSISTANT TOWN CLERK SIGNATURE	



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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

October 21, 2014

6:00 PM

CALL TO ORDER

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

COMMISSIONERS PRESENT: James Clarkson, Stephanie Neumann, Martin Nichols and Michael Zuccolillo.

COMMISSIONERS ABSENT: Daniel Wentland

1. APPROVAL OF MINUTES

- 1a. MOTION by Neumann, seconded by Clarkson approved regular meeting minutes of June 17, 2014. Ayes of Clarkson, Neumann and Chair Zuccolillo; abstention of Nichols; Wentland absent.

2. COMMUNICATION

- a. Recent Council Actions: Council approved the Planning Commission recommendation relating to outdoor display of merchandise, and an ordinance amending the Paradise Municipal Code became effective on September 11, 2014.
- b. Staff Comments: None.

3. PUBLIC COMMUNICATION

1. Jon Remalia stated that he felled a large tree on his property, that it has taken him more than the maximum required 45-days to clean up because he felt it would have been hazardous to do so because of the dry condition of the surrounding area, that he has received two citations from the Town for failure to remove the debris and questioned why the Town expects him to clean it up if it causes a safety hazard to the Town. Mr. Remalia also informed the Planning Commission that one of his neighbors has obtained a new easement after the town passed the ordinance relating to gates and easements, and that he doesn't know what to do in light of the court order that allows the gate and the Town's ordinance that requires permission of all easement owners.

Commissioner Clarkson asked Mr. Remalia why he didn't immediately clean up the tree after it was fallen and if he requested an extension. Mr. Remalia stated that he did clean up the upper part of the tree and requested an extension after he received the first citation.

2. Learoy Johnson stated that his attorney told them they had an existing easement across the Bettis property and recommended that they take the legal action that they did to make certain they had the easement.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

5a. Assistant Planner Hartman reported to the Planning Commission regarding their consideration of a resolution that, if adopted, would recommend Town Council adoption of proposed text amendments to the Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendments would modify PMC Chapter 17.44 to make it compliant with the density bonus requirements set forth in Government Code Section 65915 in order to be consistent with the recently adopted Housing Element of the Paradise General Plan. The project is exempt from the requirements of the California Environmental Quality Act (CEQA).

Ms. Hartman informed the Commissioners that there have been no projects since 2004 that would have been eligible to apply for a density bonus. Implementation would more likely occur if the Town had a sewer. The density threshold was lowered to encourage affordable housing, and the Town must comply with the statutory intent.

Commission Neumann expressed concern that this will make it more difficult for developers to obtain grant funding for affordable housing projects.

Assistant Planner Hartman informed the Commission that the amendment is to make the zoning regulations compliant with existing State Law.

Chair Zuccolillo opened the public hearing at 6:25 p.m. There were no speakers for or against the matter and Chair Zuccolillo closed the hearing at 6:25 p.m.

MOTION by Nichols, seconded by Clarkson, adopted Town of Paradise Planning Commission Resolution No. 14-05, A Resolution of the Paradise Planning Commission Recommending Town Council adoption of Text Amendments to Chapter 17.44 of the Paradise Municipal code Relative to Residential Density bonuses. Roll call vote of Commissioners present was unanimous; Wentland absent.

5b. Community Development Director Baker reported to the Planning Commission regarding their consideration of a resolution that, if adopted, would recommend Town Council adoption of a proposed text amendment to the Town's zoning regulations contained in Paradise Municipal Code (PMC) Title 17 (Zoning Ordinance). If adopted by the Town Council, the amendment would add a new category of merchandise (prefabricated wooden storage sheds) that is exempt from outdoor merchandise display regulations contained within PMC Chapter 17.06.

Director Baker stated the Commissioners might also consider including pre-fabricated carports in the amendment. Commissioner Nichols suggested including plastic storage sheds and Mr. Baker stated that the word "wooden" could be dropped so the amendment would read " ... prefabricated storage sheds."

Chairman Zuccolillo opened the public hearing at 6:32 p.m.

1. Jon Remalia asked how sheds would be allowed and what about setbacks.

Director Baker stated that parking spaces would have to be maintained and that the setbacks are measured from the centerline.

Chairman Zuccolillo closed the public hearing at 6:35 p.m.

Commissioner Nichols asked if the merchandise that is displayed would have to be for sale, for example, could a pizza shop be allowed to put up a shed for storage. Director Baker stated that scenario is addressed in a different section of the municipal code.

Commissioner Neumann asked if there must be an office for citizens to inquire about and purchase merchandise that is displayed, and that she is concerned that each time a new business comes to Town an ordinance amendment might be required, such as is being done for the wooden sheds that are now displayed at the intersection of Clark and Pearson, and noted that at Christmas time it has been a place for the sale of Christmas trees.

Commissioner Clarkson stated that he is a strong advocate of property rights and believes in being a good neighbor and his concern with outside businesses using the Town's leniency to display merchandise and ending up with a situation we are trying to prevent. He would like the concerns brought up by Commissioner Neumann to be addressed up front.

Chair Zuccolillo asked what would be the alternative is someone displayed something that was not for sale.

Commissioner Neumann stated that there is not a permanent business presence on the site that she is not against the storage sheds.

Chair Zuccolillo asked how implementation of the outdoor display merchandise ordinance is working. Director Baker stated that no citations have been issued and that staff is educating the business owners regarding the new regulations. Setbacks are handled in Section 17.06 and merchandise cannot be displayed in a front yard setback.

Commissioner Nichols asked the Commissioners what their feeling was about including carports. Commissioner Clarkson stated that he believes they are trying to make a pleasant appearance to our commercial areas. Director Baker stated that it is best to be specific in the code as courts do not support ambiguities. Chair Zuccolillo asked about pre-fabricated garages and Commissioner Neumann asked about manufactured homes being included. Commissioner Clarkson stated that he believes if the sheds had been placed in front of Ace hardware or Foothill Lumber there would be no questions, and he thinks the issue is the placing of the sheds on the property that used to be occupied by a gas station.

The Commissioners agreed to amend the language in the resolution; striking the word 'wooden' and adding pre-fabricated carports as an exception.

MOTION by Nichols, seconded by Clarkson, adopted Town of Paradise Planning Commission Resolution No. 14-06, A Resolution of the Paradise planning Commission Recommending Town Council Adoption of a Text Amendment to the Chapter 17.06 of the Paradise Municipal Code Relative to the Outdoor display of Merchandise, as amended. (Remove word 'wooden' and add 'pre-fabricated carports'). Roll call vote of Commissioners present was unanimous; Wentland absent and not voting

6. OTHER BUSINESS

Community Development Director Baker and Planning Commissioners discussed the lot at Clark/Pearson being occupied by various vendors, the planned demolition of the buildings at Pearson and Skyway is dependent upon PG&E removing the utilities, a potential new owner (ordered by the court) is investigating the possibility of converting the property that was used as a hotel (Skyway Lodge) into multi-family use, and the Hollywood Video building at Clark/Wagstaff has been purchased for use as a medical office.

Director Baker informed the Commissioners that, by Town policy, a Planning Director Hearing held on October 21, 2014, has been referred to the Planning Commission by the Planning Director as there was opposition to approval of the site plan review permit application and that he would like the Commissioners to consider a special meeting for November 5th or November 6th for the sake of expedient permit consideration. Commissioners concurred to set November 6, 2014 at 6:00 p.m. for the purpose of holding the hearing relating to the Conners Site Plan Review Permit application.

7. COMMITTEE ACTIVITIES - No report.

8. COMMISSION MEMBERS –No reports.

9. ADJOURNMENT

Chair Zuccolillo adjourned the meeting at 7:00 p.m.

Date Approved:

By: _____
Michael Zuccolillo, Chairman

Joanna Gutierrez, CMC, Town Clerk



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PLANNING COMMISSION MINUTES

May 19, 2015

6:00 PM

CALL TO ORDER

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

COMMISSIONERS PRESENT: James Clarkson, Martin Nichols, Daniel Wentland and Stephanie Neumann, Chair.

1. APPROVAL OF MINUTES

Following a MOTION by Wentland, seconded by Nichols, the regular meeting minutes of April 21, 2015 were approved by unanimous roll call vote.

2. COMMUNICATION

Director Baker informed the Commissioners that the Town Council will be interviewing and selecting two seats on the Planning Commission to begin July 1, 2015. Interviews are scheduled for May 28, 2015 from 2-5pm with six applications submitted, but there may be a conflict schedule with one of the applicants. A two member committee of the Town Council will be making recommendations to the entire Council at the June 9, 2015 Town Council meeting.

3. PUBLIC COMMUNICATION – None.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING – None.

6. OTHER BUSINESS

- 6a. Assistant Planner Hartman presented a summary of the Annual Housing Element Progress Report for the Calendar Year 2014 to the Commission stating that this is the Final Progress report for the 2009-2014 Housing Element. A total of 178 housing units were built throughout the planning period at all income levels, with the Density Bonus being one of the final elements completed. The Consultants that the Town worked with for the new housing element have reviewed, and will have new programs updated, for implementation plan policies next year.

Commissioner Nichols asked how often the Housing Element needs to be updated. Director Baker stated that Housing Element update is still being reviewed by the State, that the Town has a conditional letter of approval and that the updated Housing Element will have a life of eight years.

Commissioner Nichols asked what the technical difference was between the Housing Element and the General Plan Implementation report. Director Baker stated that the State has very specific requirements for the Housing Element Progress Report and the Town has their own form for the 1994 General Plan Implementation Status report.

Commissioner Clarkson stated that it appears that there has been very little change and did not see any areas that need to be addressed. Director Baker stated that in 2013 the Planning Commission adopted a Resolution finding that the 1994 General Plan was still applicable and did not recommend any changes.

Following a **MOTION by Nichols, seconded by Clarkson** and approval by unanimous roll call vote, the Planning Commission accepted and forwarded the annual progress report for the calendar year 2014 to the Town Council regarding the present implementation progress of the 1994 Paradise General Plan Housing Element.

- 6b. Director Baker reported that the 1994 Paradise General Plan Implementation Status report has a different format allowing it to stand on its own without having to refer to the General Plan Policy document, a third column has been added that summarizes each policy and implementation measure. The 1994 General Plan is approaching 31 years old and is largely implemented, items not implemented are either not necessary or have not been the subject of Town Council direction due to funding, staffing, etc. When the plan was created in 1994 more growth was expected and it was thought that annexations would occur and that the Sphere of Influence may need to be expanded, but that has not yet been necessary due to a lack of population growth over the life of the plan. Most of the implementation in 2014 resulted from infrastructure improvements including roadways, sidewalks and bicycle lanes.

Commissioner Clarkson inquired if there were any issues regarding the report Mr. Baker would like to share. Director Baker stated that implementation had largely been achieved and that when anything significant transpires during a given calendar year, it is included in the report.

Commission Nichols asked why there was no reference to a sewer. Director Baker stated that prior to the 1994 General Plan being implemented, a recall of four Town Council members had occurred as a result of the creation of sewer assessment district, therefore a sewer component was not included in the plan. Assistant Planner Hartman stated that it is promoted within the updated Housing Element, to reduce housing constraints associated with wastewater disposal.

Following a **MOTION by Nichols, seconded by Wentland** and approval by unanimous roll call vote, the Planning Commission accepted and forwarded the Annual Report for calendar year 2014 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan.

7. COMMITTEE ACTIVITIES – No Report

8. COMMISSION MEMBERS

Community Development Director Baker informed the Commission that an Environmental Document for a Parcel Map Application on Clark Road is currently available for review and may be presented at the June Planning Commission meeting and that the department is expecting plans to be submitted for drive-through operations at the Optimo, but there is a 30-day review period required so that it may not be ready for consideration until sometime in July.

Commissioners inquired about updates on Safeway, Wendy's and Wal-Mart. Director Baker informed that there were no updates on Safeway or Wal-Mart and that the developer of Wendy's had recently communicated with the Town Manager, but there was nothing new to report.

9. ADJOURNMENT – Chair Neumann adjourned the meeting at 6:16 p.m.

DATE APPROVED:

By: _____
Stephanie Neumann, Chair

Dina Volenski, Assistant Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: June 16, 2015**

FROM: Craig Baker, Community Development Director
SUBJECT: Hays Parcel Map Application (PL14-00316)
DATE: June 10, 2015

AGENDA NO. 5(a)

AP 054-120-060

GENERAL INFORMATION:

Applicant: Daniel Hays
1351 Mangrove Ave, Ste. A
Chico, CA 95926

Surveyor: W. Gilbert Engineering
140 Yellowstone Drive, Ste. 110
Chico, CA 95973

Location: 5400 Clark Road

Requested Action: Parcel map approval to divide an existing ± 1.68 acre property zoned Community Commercial into four parcels of record for commercial use.

Purpose: To create four vacant commercial building sites

Project Density: N/A

Present Zoning: Community Commercial (C-C)

General Plan Designation: Town Commercial (TC)

Existing Land Use: Vacant

Surrounding Land Use: North: Commercial
East: Mobile home park
South: Single family residential
West: Clark Road

Project site area: ± 1.68 acres

Environmental 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.

ANALYSIS

Project Design

The proposed Hays parcel map project entails the creation of four parcels designed for commercial land use. The proposed parcels would be created from an existing, ± 1.68 acre parcel of record that is currently vacant. The gross parcel sizes proposed for each parcel are 0.27 acre (Parcel 1), 0.55 acre (Parcel 2), 0.42 acre (Parcel 3) and 0.44 acre (Parcel 4).

As designed, Parcels 1, 2 and 3 would have ± 70 , ± 126 and ± 126.7 lineal feet of public road frontage along Clark Road. Access for Parcel 4 would be provided via the establishment of a 30 foot-wide private road and public utility easement encumbering portions of Parcels 1 and 2 and connecting to Clark Road directly opposite the Ewald Court private road encroachment which connects to the west side of Clark Road. An existing private road easement encumbers the south 60 feet of Parcel 3, provides access to an adjacent residential property and is proposed to remain. An existing shed structure presently located upon what would become Parcel 3 is proposed to be removed.

The project includes a proposal to develop the proposed onsite private road easement with a paved private road (including drainage facilities) constructed to the appropriate Town standard with a turnaround facility at its eastern terminus on proposed Parcel 4.

Wastewater disposal for subsequent development of the resultant parcels is proposed to be provided via the construction of two separate community wastewater disposal systems to serve future commercial uses on the resultant parcels. Any increase in storm water runoff resulting from the development of additional impervious surfaces on the resultant parcels is proposed to be detained in an underground storm water detention facility which will be designed to meter the release of storm water at pre-development levels.

It is likely that development of private road access and drainage improvements for the project will result in the felling and removal of approximately two native pine trees.

Please refer to the enclosed initial study and proposed negative declaration prepared for this project for a more detailed project description and additional analysis of the project.

Environmental Review

As referenced above, a proposed negative declaration document has been prepared by staff concerning the proposed project and is enclosed with this staff report for your review.

Potential environmental impacts associated with the proposed project have been identified upon the environmental review checklist form within the initial study. It has been determined that the proposed project will not result in a significant adverse effect on the environment because the project developer has agreed to mitigation measures that have been identified and assigned to address potentially significant adverse impacts identified within this initial study. Therefore, it is recommended that the Planning Commission adopt the proposed mitigated negative declaration prepared by staff in the event that the Hays parcel map project is approved.

ANALYSIS CONCLUSION

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.

Development Services Department, Public Works Department, Community Safety Services, and Paradise Irrigation District staff have indicated support for the project and have developed recommended conditions of project approval designed to reduce any impacts related to the proposed project to a less than significant level and to promote orderly development of the Paradise Community. Accordingly, staff is recommending project approval, based upon and subject to the following recommended findings and conditions of project approval:

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that the proposed project, **as conditioned**, will not result in a significant adverse effect on the environment because the project developer has agreed to mitigation measures that have been identified and assigned to address potentially significant adverse impacts.
- b. Find that the project, **as conditioned**, is consistent with the goals and policies of the Paradise General Plan, because the resulting sizes and uses of the parcels would be consistent with existing land use in the area, and adequate infrastructure would be in place to serve the parcels.
- c. Find that the project, **as conditioned**, is consistent with the spirit and intent of the zoning district in which the project site is situated, because the land use proposed for the parcels would be commercial and parcel sizes proposed are consistent with the requirements of the zone.
- d. Find that the project, **as conditioned**, will not result in a significant adverse effect on existing plant and animal life in the project vicinity for the following reasons:

1. The project site is located within an area that has been significantly altered by commercial and residential development spanning several decades.
2. No known outstanding wildlife habitat exists in the immediate project vicinity; and
3. No known rare or endangered plants exist in the immediate project vicinity.

RECOMMENDATION:

Adopt the required findings as provided by staff and approve the Hays parcel map application (PL14-00316) proposing to create four parcels of record from an existing ± 1.68 acre property located at 5400 Clark Road, subject to the following conditions:

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

ROADS AND ACCESS

1. Submit three copies of engineered road construction and drainage improvement plans for the proposed on-site private road and emergency vehicle turnaround to the Engineering Division for approval. Pay appropriate plan check and inspection fees. Plans must be stamped and wet-signed by a licensed civil engineer. All elements of the engineered plans shall be designed in accordance with the requirements of the Town Engineer, based upon accepted engineering standards and the town-adopted A-2a road standard or equivalent, as determined by the Town Engineer. The project developer shall perform a drainage analysis and Road and drainage plans must be approved **PRIOR** to the construction or installation of the required facilities.
2. The design of any improvements proposed for the State-owned Clark Road/State Route 191 right-of-way shall be subject to Caltrans review and approval. Provide material evidence thereof to the Town Engineer.
3. Access to parcels for ingress and egress/public utilities shall be shown on the final parcel map in the form of a minimum thirty (30) foot-wide access and public utility easement designed to accommodate a fire and emergency vehicle turnaround that meets the Town Fire Marshal's requirements.
4. The final parcel map shall be designed in a manner that aligns the centerline of the proposed on-site private road and public utility easement with the centerline of Ewald Court.

5. Place the following notes on the final map information data sheet:
 - a. “Prior to the issuance of a building permit authorizing development upon Parcel Nos. 1, 2, 3 or 4, the project developer shall apply for and secure issuance of an encroachment permit from Caltrans and construct on-site private road and drainage improvements in accordance with town-approved private road and drainage improvement plans for the Hays parcel map. The private road shall be constructed to the town-adopted A-2a standard or equivalent, as determined by the Town Engineer. Street signs and all pavement markings shall be installed as required and at the developer’s sole expense.”
 - b. “If more than 50 cubic yards of soil are displaced to accommodate road and drainage improvements, the project developer shall apply for and secure town issuance of a grading permit satisfying all engineering division requirements and the current adopted edition of the UBC and pay applicable grading permit fees per current fee schedule.”
 - c. “Prior to the commencement of construction activities associated with private road and drainage improvements, the project developer shall submit an engineered erosion and dust control plan to the Town Engineering Division for approval by the Town Engineer . All erosion control devices and sedimentation basins required by the PMC 15.04.280.shall be shown on the plan.”
 - d. “If disturbed area is greater than one acre, the project developer shall secure the issuance of a State Construction General Permit from the California Regional Water Quality Control Board.”
 - e. “Prior to construction of required site improvements, the project developer shall submit an engineered drainage analysis in accordance with the requirements of the Town Engineer and comply with all post-construction storm water design requirements. Additional storm water drainage shall have zero net impact to existing drainage facilities and downstream flows.”
6. Apply for and secure town approval for a new road name for assignment to the proposed new private road. Pay current road name review fee. Place the approved road name upon the final parcel map.
7. Provide a recorded road maintenance agreement in a form deemed acceptable to the Town Engineer obligating all future owners of the resultant

parcels to participate in the maintenance of the proposed onsite private road and drainage improvements.

SITE DEVELOPMENT

8. All easements of record shall be shown on the final parcel map.
9. Indicate a fifty foot building setback line measured from the center line of Clark Road and thirty foot building setback line measured from the center of the proposed on site private road easement.
10. The proposed on-site private road and public utility easement shall encumber all private road and drainage improvements.
11. Indicate on the final parcel map a 60 dB L_{dn} noise contour line measured 144 feet from the centerline of Clark Road/State Route 191.
12. Place the following notes on the final map information data sheet:
 - a. "Development of parcels created by recordation of the Hays parcel map shall not result in a net increase in storm water discharge into drainage facilities located within the Caltrans-owned right-of-way of Clark Road/State Route 191. Such drainage facilities shall not have their capacities reduced as a result of development of the Hays parcel map. Any work in the Caltrans-owned right-of-way will require a Caltrans-issued encroachment permit."
 - b. "Prior to the issuance of building permits authorizing residential development of Parcels 1, 2, 3 or 4, the project developer shall submit a storm water mitigation plan that minimizes any adverse effects of increased storm water run-off upon adjacent properties and meets the requirements of the Town Engineer."
 - c. "Prior to the issuance of building permits authorizing construction of buildings (or portions thereof) within 144 feet of the center of Clark Road, the project developer shall submit material evidence demonstrating to the satisfaction of the Town Building Official that interior spaces of such buildings that are intended for occupancy shall not be exposed to noise levels exceeding those levels identified in Table 6.4-2 of the 1994 Paradise General Plan Vol. III."

SEWAGE DISPOSAL

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

UTILITIES

14. Meet the requirements of the Paradise Irrigation District (PID) in accordance with the comments provided by PID staff for the Hays project, dated November 20, 2014 and on file with the town Development Services Department.
15. Meet all other requirements of utility companies regarding the establishment of necessary public utility easements.

FIRE PROTECTION

16. Place the following notes on the final map information data sheet:
 - a. "The design of proposed private road access improvements shall be constructed in accordance with the requirements outlined within the Fire Marshal's memorandum regarding the Hays parcel map dated November 25, 2014, on file in the Town Development Services Department and shall include an adequate turnaround facility at its eastern terminus to accommodate fire and emergency vehicle access in accordance with town adopted road standards."

OTHERS

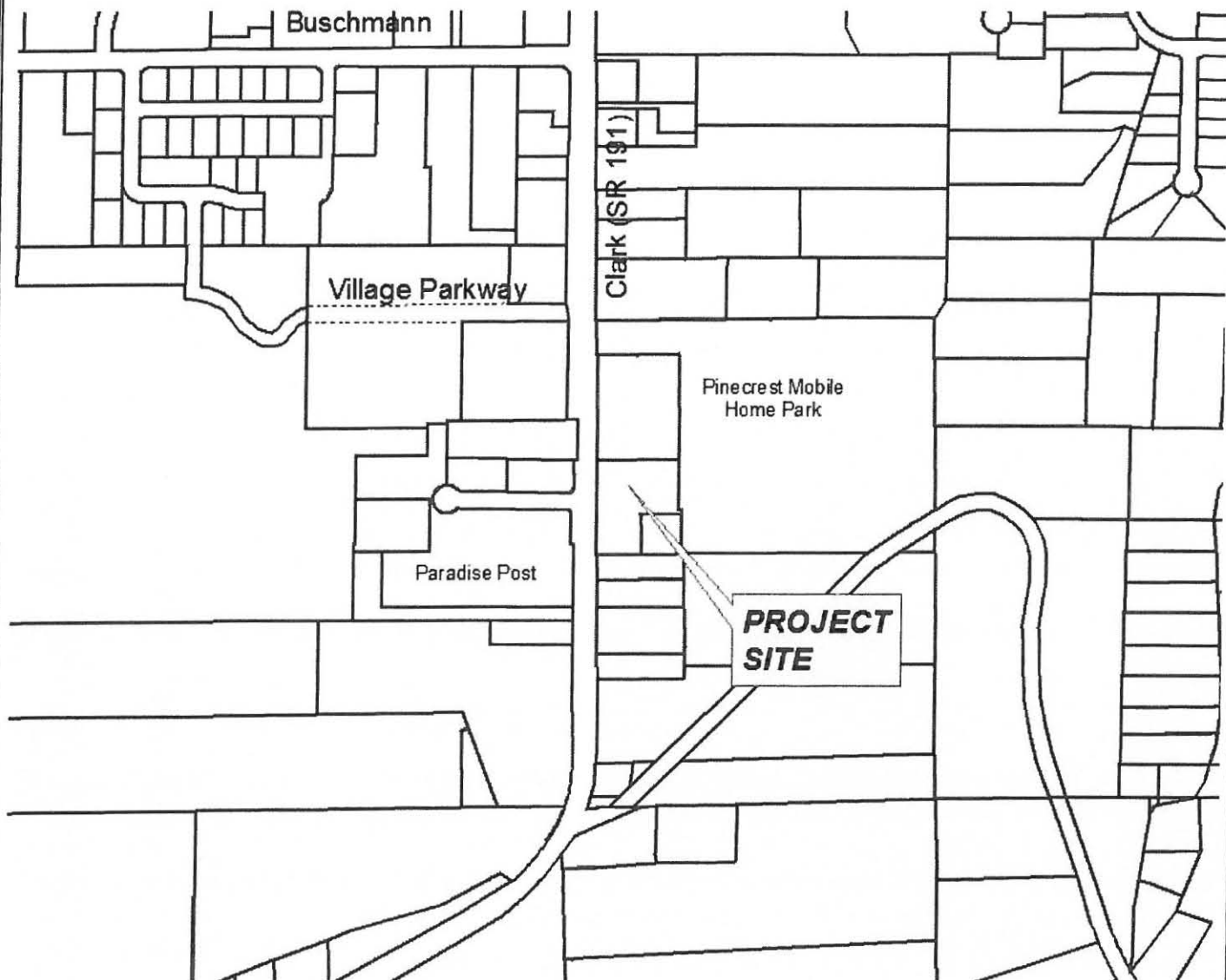
17. Provide written documentation verifying payment of current property taxes and payment of any assessment liens imposed by the Town.
18. Provide monumentation as required by the Town Engineer in accordance with accepted town standards.
19. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon area-wide recreation facilities. Provide evidence of payment to the Town Development Services Department planning division.
20. Place the following notes upon the final parcel map information data sheet:
 - a. "At the time of building permit issuance, owner will be required to pay any Town of Paradise adopted development impact fees."
 - b. "If any archaeological resources are uncovered during the course of

future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.”

Attachments

**ATTACHMENTS FOR
PLANNING COMMISSION AGENDA NO. 5(a)**

1. Project vicinity map.
2. Notice sent to newspaper for the public hearing regarding the Hays parcel map project.
3. List of property owners and agencies notified of the public hearing regarding the Hays parcel map project.
4. Email comments dated August 21, 2014 from Caltrans representative Shannon Culbertson.
5. Comments dated November 20, 2014 from P.I.D. representative Neil Essila.
6. Comments from Onsite Official Doug Danz dated April 21, 2015.
7. Comments dated November 25, 2014 from Town Engineer Marc Mattox.
8. Letter from Building Official/Fire Marshal Tony Lindsey regarding fire code review dated November 25, 2014.
9. Letter from Regional Water Quality Control Board representative Scott Zaitz R.E.H.S. dated May 22, 2015.
10. Mitigated Negative Declaration developed by staff for the Hays parcel map project.
11. Parcel map submitted by River Bend Partners on April 13, 2015.



APPLICANT: Daniel Hays

OWNER: Powell Family Living Trust

5400 CLARK ROAD

REQUEST: Parcel map application proposing to create four parcels of record from a single, vacant +/-1.68 acre property zoned Community Commercial (CC).

Zoning: CC

GENERAL PLAN: TC

FILE NO. PL14-00316

ASSESSOR PARCEL: 054-120-060

MEETING DATE: June 22, 2015

**NOTICE OF PUBLIC HEARING:
PARADISE PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN by the Paradise Planning Commission that a public hearing will be held on **Tuesday, June 16, 2015**, at 6:00 p.m. in the Town Hall Council Chambers, 5555 Skyway, Paradise, California, regarding the following matter:

- a. Item for which a mitigated negative declaration is proposed to be adopted:

Hays Parcel Map Application (PL14-00316) Request for town approval of a Parcel Map application proposing to divide an existing ± 1.68 acre property zoned C-C (Community Commercial) into four parcels of record for commercial use located at 5400 Clark Road, Paradise. The property is situated within a portion of Section 23, T22N, R3E, M.D.B.&M and is locally identified as assessor parcel number 054-120-060.

The project file is available for public inspection at the Development Services Dept., Paradise. 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 contact the Development Services Dept. at (530) 872-6291, extension 111.

CRAIG BAKER
Planning Director

054-090-068-000
TALL PINES ENTERTAINMENT
LTD PARTNERSHIP
3473 MILDRED DRIVE
FALLS CHURCH VA 22042

054-110-023-000
HERRERA RENALDO NICHOLAS
& ADESSA MARIE
18 TUSCAN DR
PARADISE CA 95969

054-110-052-000
CALIFORNIA NEWSPAPERS
PARTNERSHIP
PO DRAWER 70
PARADISE CA 95967

054-110-054-000
MARTIN FAMILY TRUST ESTATE
12242 MEREDIAN RD
CHICO CA 95973

054-110-055-000
CALIFORNIA NEWSPAPERS
PARTNERSHIP
101 W COLFAX
DENVER CO 80202

054-120-016-000
MOORE V DIANE REVOCABLE
TRUST
5940 WOODSDALE LN
PARADISE CA 95969

054-120-017-000
LAAGER RAYMOND C
PO BOX 1493
PARADISE CA 95967

054-120-021-000
PINECREST MOBILE HOME PARK
LLC
P O BOX 1562
PARADISE CA 95967

054-120-033-000
MONTGOMERY CHARLES F &
MARTHA L JT
198 VALLEY VIEW DR
PARADISE CA 95969

054-120-060-000
HAYS HONGYAN
1351 MANGROVE AVE #A
CHICO CA 95926

054-120-061-000
HARLAN ROBIN E SR & NANCY
JEAN
5380 CLARK RD
PARADISE CA 95969

054-120-070-000
WILSON FAMILY TRUST
5368 CLARK RD
PARADISE CA 95969

054-120-071-000
YOUTH FOR CHANGE
PO BOX 1476
PARADISE CA 95967

Wes Gilbert Engineering
140 Yellowstone Dr, Ste 110
Chico, CA 95973

Paradise Unified School District
6696 Clark Road
Paradise, CA 95969

Paradise Irrigation District
6332 Clark Road
Paradise, CA 95969

Paradise Recreation & Park Dist.
6626 Skyway
Paradise, CA 95969

Paradise Ridge Chamber of
Commerce
5550 Skyway
Paradise, CA 95969

Paradise Board of Realtors
6178 Center Street
Paradise, CA 95969

Paradise Downtown Business
Association
c/o Fir Street Gallery/Pam Funk
6256 Skyway
Paradise, CA 95969

Butte County Planning
Courier

Paradise Cemetery District
980 Elliott Road
Paradise, CA 95969

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

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

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

Culbertson, Shannon@DOT

From: Culbertson, Shannon@DOT
Sent: Thursday, August 21, 2014 4:18 PM
To: C. Craig Baker - Town of Paradise (cbaker@townofparadise.com)
Subject: 032014BUT0054 - Hays Parcel Map PL14-00223

*FMP #032014BUT0054
Hays Parcel Map PL14-00223
BUT-191/PM 10.869
County File #PL14-00223*

Mr. Baker:

Thank you for including Caltrans in the early consultation review process for the Hays Parcel Map project. The proposed project consists of creating 4 parcels of record from a single 2.05-acre parcel zoned Community Commercial with a phased commercial development proposed on the resultant parcels. The project site is located on State Route (SR) 191/Clark Road at 5400 Clark Road in Paradise.

Based on the information provided, we recommend the proposed driveway easement be placed directly across from Ewald Court. Aligning the proposed driveway with Ewald Court allows it to operate as a four-leg intersection and will allow for future intersection improvements. In addition, the proposed driveway should serve all 4 resultant parcels so as to eliminate vehicle conflict points and confusion in anticipation of the two-way left turn lane planned for SR 191. Adequate right of way (ROW) should be preserved for future improvements on SR 191 such as the above referenced two-way left turn lane or a left turn lane into the proposed commercial development.

In terms of hydrology/hydraulic impacts, please note that no net increase in discharge shall be directed to State ROW as a consequence of future development. Any work performed within or from State ROW will require an encroachment permit. Conveyance facilities within State ROW shall not have their capacity reduced as a consequence of development, resulting in run-off encroachment into the traveled way. Any drainage plans or reports provided for this project should be provided to our office for review.

Please provide our office with copies of any further actions or changes to this project. **Please reply to this email at your earliest convenience to confirm receipt of our comments.**

If you should have any questions concerning these comments or require additional information, please do not hesitate to contact me.

Thank you,

Shannon Culbertson

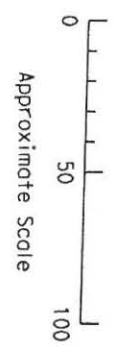
Associate Transportation Planner

Caltrans - District 3
Division of Planning & Local Assistance
703 B Street
Marysville, CA 95901

Phone: (530) 741-5435
Email: shannon.culbertson@dot.ca.gov

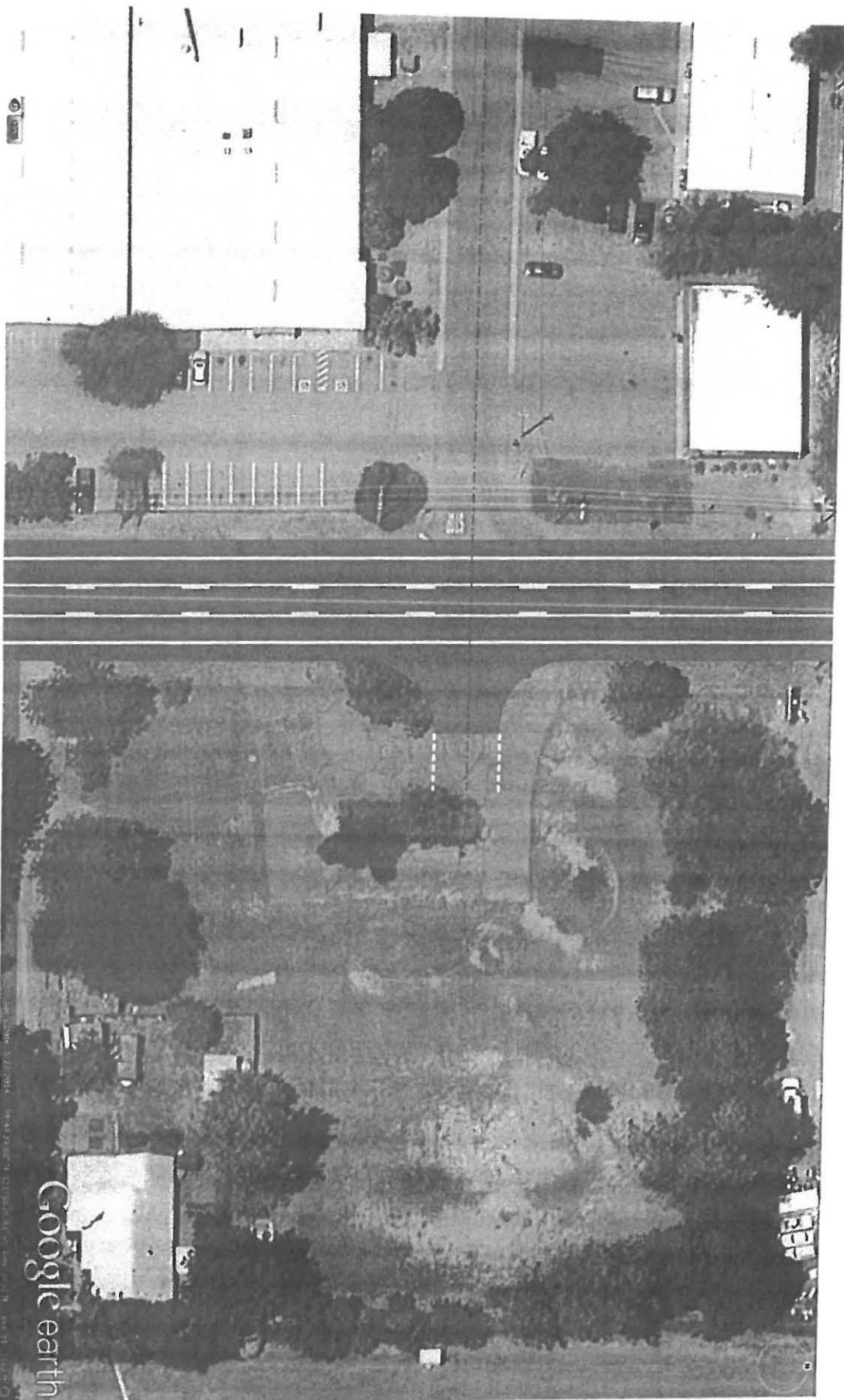


Last revised:
November 25, 2014



Route 191 at Ewald Court
Proposed Location of
Highway Access





Last revised:
November 25, 2014

0 50 100
Approximate Scale

Route 191 at Ewald Court
Proposed Location
with Future Widening

Google earth



PARADISE IRRIGATION DISTRICT

6332 Clark Road, Paradise CA 95969 | Phone (530)877-4971 | Fax (530)876-0483

November 20, 2014

Town of Paradise
Attn: Susan Hartman
5555 Skyway
Paradise, CA 95969

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.
NOV 20 2014
RECEIVED

SUBJECT: Tentative Parcel Map Application (PL14-00316) for Daniel Hays, 5400 Clark Road, APN 054-120-060.

Dear Susan:

Thank you for the opportunity to review the above-referenced tentative parcel map application. The following comments apply to the project, as proposed.

1. A 1-inch water meter currently serves this property. After the proposed parcel map records, and at such time as the resulting parcels cease to be under identical ownership, additional meters will be necessary to serve water to each parcel. Payment of a Service Capacity Fee and Meter Installation Fee will be necessary at the time each meter is ordered.
2. A backflow prevention assembly may be required at the water meter(s) as a result of the type of occupancy, or other development considerations.
3. An 12-inch water main is located in Clark Road, near the subject property. The closest fire hydrant appears to be near the northwest property corner. Fire flows in the area are good.
4. Static pressure in this vicinity is approximately 120 psi.
5. The proposed map will create a parcel that is not contiguous to an existing water main. A standard condition of service to a non-contiguous parcel is execution of a Future Pipeline Agreement (FPLA). The FPLA obligates the property owner to participate in the cost of a future water main extension, if one is constructed that extends the District main line to the property. This obligation runs with the land.
6. It is possible that development of the subject parcel will require the installation of an additional fire hydrant. This could trigger the requirement for a main extension.

Please contact me at 876-2037 if you have any questions or comments regarding this matter.

Sincerely,

Neil J. Essila
Assistant Engineer

Cc: Daniel Hays
Wesley Gilbert



TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

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

www.townofparadise.com

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

APR 21 2015

RECEIVED

April 21, 2015

To: Craig Baker, Community Development Director

From: Doug Danz, Onsite Sanitary Official

Re: April 4, 2015 Revised Development Review Request. 5400 Clark Rd. APN: 054-120-060

I have reviewed the revised development proposal for the referenced parcel. This review is done in conjunction with the 10/13/14 land division approval by the Onsite Sanitation Division and the related criteria pertaining to the construction of a community onsite sewage disposal system.

This division approves the proposed configuration of parcel lines for this tentative parcel map and the creation of 4 parcels to be served by community wastewater systems.

In conjunction with this approval it is noteworthy that the leachfield location serving a community wastewater system on the southwest corner of the parcel has been moved northward to exclude it from the existing 60 foot wide access easement on the south side of this parcel. This leachfield will be designed during the permit phase of this project and the individual leach trenches will be required to be re-aligned with the contour of the land so that a maximum depth of 4 feet is not exceeded. It will also not be in any vehicle area.

Also, the construction of the two community wastewater systems for the resultant four parcels will be contingent upon a covenant agreement entered into with the Town by the owner to create a 'utility' easement for the use and maintenance of the community wastewater systems located on all affected portions of the parcels in the event that one of the properties changes owner. The language of the covenant will require approval by the Town and bear the same language as if it were an easement.



TOWN OF PARADISE
Engineering
5555 Skyway
Paradise, CA 95969
(530) 872-6291

MEMO

Date: November 25, 2014
To: Craig Baker, Community Development Director
From: Marc Mattox, Town Engineer
RE: Tentative Map, Daniel Hays – APN 054-120-060, 5400 Clark Road Commercial Lots

After review of the provided tentative map, please find below a list of comments:

1. Northern easement serving Parcel 1, 2 and 4 shall be further described. Minimum width is 30 feet (PMC 16.06.025). Easement shall be built to minimum Town Standard A-2.
 2. Southern easement serving Parcel 3 and potentially APN 054-120-061 shall be minimum width of 28 feet. Currently shown as 60 feet wide. Differing information has been provided to onsite department relating to this easement. What is the ultimate width of the easement planned? Easement shall be built to minimum Town Standard A-2.
 3. All access easements shall be used for strictly public utilities and roadway access. Applicant is advised that onsite dispersal is prohibited. Furthermore, water and storm drainage facility separation requirements from septic infrastructure shall be adhered to.
-

I have copied all of my pertinent PDR comments below, as a reminder of important requirements/milestones.

1. Streets & Access
 - a. Clark Road is Caltrans owned (SR 191)
 - b. Need to confirm location of driveways and coordinate with Caltrans
 - c. Improvements to property frontage are required per Paradise Municipal Code (PMC) Chapter 12.20, Improvements
 - d. Improvements will likely be phased by individual development on the parcel map
2. Parcel Map Review
 - a. Final Parcel Map fee is \$964.82, and additional third party costs if applicable.
 - b. Licensed Land Surveyor will review all documents in conjunction with the Town for review and may require multiple iterations.

Subsequent items are for information only based on individual parcel developments...

3. Storm Drainage
 - a. When each parcel develops, stormwater management/mitigation measures will need to be addressed. Pre-development 10 year storm flows will likely need to match Post-Development flows of 100 year storm.
 - b. Construction of each parcel will require a stormwater pollution prevention plan. No State permit required if total project area disturbed is less than 1 acre. If multiple parcels are completed at same time, State Permit will be required
4. Grading
 - a. If cut and fill volumes exceed 50 cubic yards then Engineered Grading Requirements will be in effect.
5. Site Design, Permits and Approvals:
 - a. Caltrans encroachment permit
 - b. Submit engineered plans for the project improvements (water, grading, etc.).
 - c. Verify septic system and water separation requirements.

- d. Verify parking configurations and minimum travel width requirements PMC 17.38.
- e. Interior landscaping is required per PMC. In addition landscaping is required minimum 5' wide where parking meets Town Right-of-Way.
- f. Signage must comply with all applicable guidelines.
- g. Proposed location of new hydrants?
- h. Are all trees to be maintained?

6. Engineering Division Approvals Required:

- a. Engineer's Estimate for fee schedule.
- b. Encroachment Permit for work in the public right-of-way.
- c. Erosion Control Plan Review.
- d. Grading Permit (if applicable – fees per cut/fill volume)
- e. Drainage Analysis Review (if applicable)
- f. Engineered Site Plan.

MEMORANDUM

TO: Craig Baker, Community Development Director

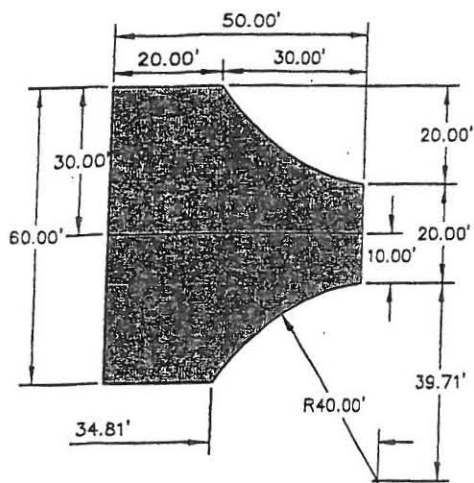
FROM: Tony Lindsey Building Official/Fire Marshal

SUBJECT: 5400 Clark, 054-120-060

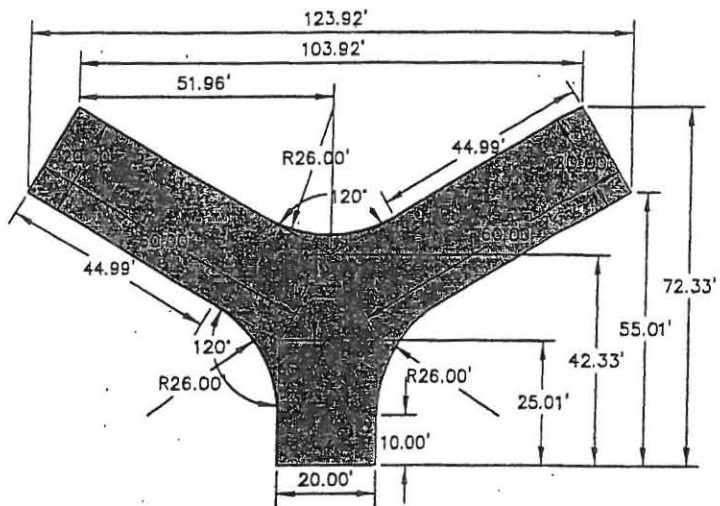
DATE: November 25, 2014

Following are my comments relative to the parcel map application proposing to create four parcels from a single vacant +/-1.99 acre property zoned Community Commercial (CC).

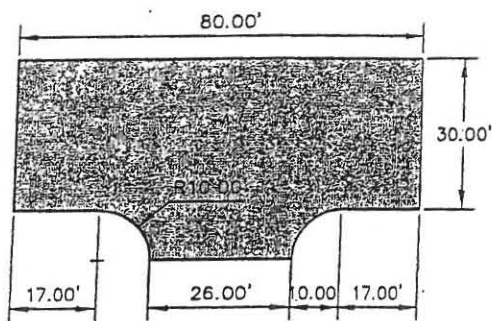
1. All fire apparatus access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions. A soils report of the access roadway may be submitted which provides evidence of a 90-95% compaction of the soil along the access roadway. Access roadways that do not meet this requirement could be subject to a stop construction order until the roadway can be maintained.
2. 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.
3. Fire lane designations shall be required for all fire access roadways as determined by the Town of Paradise Fire Department. Posted signs which state "FIRE LANE, NO PARKING" shall be installed and/or curbs painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by the Town of Paradise Fire Department. All fire lanes shall be marked and identified prior to Certificate of Occupancy.
4. 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.
5. Fire Department access is beyond 150 feet. At the end of access point provide a Fire Department turnaround as per attached standard PS-14.



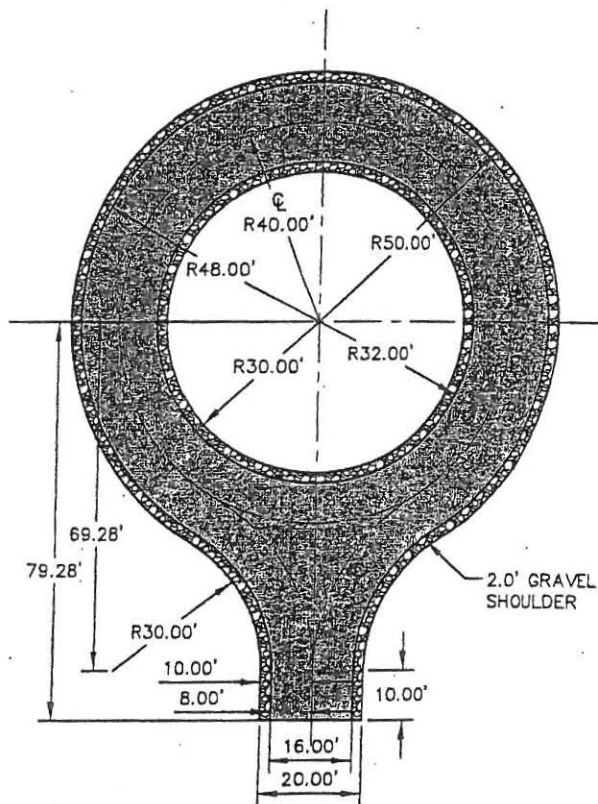
SQUARE TURN-AROUND



WYE TURN-AROUND



HAMMERHEAD TURN-AROUND



DONUT TURN-AROUND

GENERAL NOTES:

THE DIAGRAMS DEPICTED BELOW REPRESENT TYPICAL TURNAROUNDS THAT MAY POTENTIALLY BE USED IN LIEU OF THE FORTY-FOOT RADIUS CUL-DE-SAC.
 DEAD-END ROADS 150 FEET OR MORE IN LENGTH REQUIRE ONE OF THE APPROVED TURNAROUNDS ABOVE (2007 CFC)
 NO ON-STREET PARKING ALLOWED. TURNAROUNDS SHALL BE IDENTIFIED AS FIRE ACCESS AND NOT FOR PARKING.



TURNAROUND PROVISIONS
 TYPICAL ROAD STANDARD DESIGN FIGURE
 PARADISE SPHERE OF INFLUENCE



DRAWN BY:	REVISION DATE:
DATE:	NOT TO SCALE

STD. No.:

PS-14

Central Valley Regional Water Quality Control Board

22 May 2015

Mr. Craig Baker
Town of Paradise
5555 Skyway
Paradise, CA 95969

RECEIVED
APR 25 2015

TOWN OF PARADISE
COMMUNITY DEVELOPMENT DEPT.

**COMMENTS ON THE MITIGATED NEGATIVE DECLARATION FOR PROPOSED HAYS
PARCEL MAP-PL 14-00316 PROJECT, ASSESSORS PARCEL NUMBER 054-120-060,
PARADISE, BUTTE COUNTY**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 11 May 2015, we received your request for comments on the Mitigated Negative Declaration for the Hays Parcel Map-PL 14-00316 Project.

The proposed Hays Parcel Map Project entails the creation of four parcels designed for commercial land use. The property is located at 5400 Clark Creek Road (State Route 191). The proposed parcels would be created from an existing +1.68 acre parcel of record that is currently vacant, but has been previously developed. The gross parcel sizes proposed for each parcel are 0.27 acre, 0.55 acre, 0.42 acre, and 0.44 acre.

Based on our review of the information submitted for the proposed project, we have the following comments:

Clean Water Act (CWA) Section 401, Water Quality Certification

The Central Valley Water Board has regulatory authority over wetlands and waterways under both the Federal Clean Water Act (CWA) and the California Water Code, Division 7 (CWC). Discharge of dredged or fill material to waters of the United States requires a CWA Section 401 Water Quality Certification from the Central Valley Water Board. Typical activities include any modifications to these waters, such as stream crossings, stream bank modifications, filling of wetlands, etc. 401 Certifications are issued in combination with CWA Section 404 Permits issued by the Army Corps of Engineers. The proposed project must be evaluated for the presence of jurisdictional waters, including wetlands and other waters of the State. Steps must be taken to first avoid and minimize impacts to these waters, and then mitigate for unavoidable impacts. Both the Section 404 Permit and Section 401 Water Quality Certification must be obtained prior to site disturbance.

Isolated wetlands and other waters not covered by the Federal Clean Water Act

Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee

must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. ~~Failure to obtain waste discharge requirements or a waiver may result in enforcement action.~~

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/wqc_application.pdf

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Hays Parcel Map-PL 14-00316 Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

Post-Construction Storm Water Requirements

Studies have found the amount of impervious surface in a community is strongly correlated with the impacts on community's water quality. New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II Municipal Storm Water Permit requirements the Town of Paradise must ensure that new developments comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and establish maintenance requirements. The proposed project must be conditioned to comply with post construction standards adopted by the Town of Paradise in compliance with their Phase II Municipal Storm Water Permit.

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at szaitz@waterboards.ca.gov.



Scott A. Zaitz, R.E.H.S.
Environmental Scientist
Storm Water & Water Quality Certification Unit

SAZ:wrb:lmw

cc w/o Department of Fish and Wildlife, Region 2, Rancho Cordova
enclosures: Ms. Leah Fisher, U.S. Army Corp of Engineers, Sacramento
State Clearing House Number (2015052027)

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

1. Description of Project:

Parcel map application (PL14-00316) proposing to divide an existing ± 1.68 acre property into four parcels of record planned for commercial land use.

2. Name and Address of Project Applicant:

Daniel Hays
1351 Mangrove Avenue, Suite A
Chico, CA 95926

3. The Initial Study for this Project was prepared on: May 5, 2015

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 Community Development Department, Town Hall, 5555 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 **June 10, 2015 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.

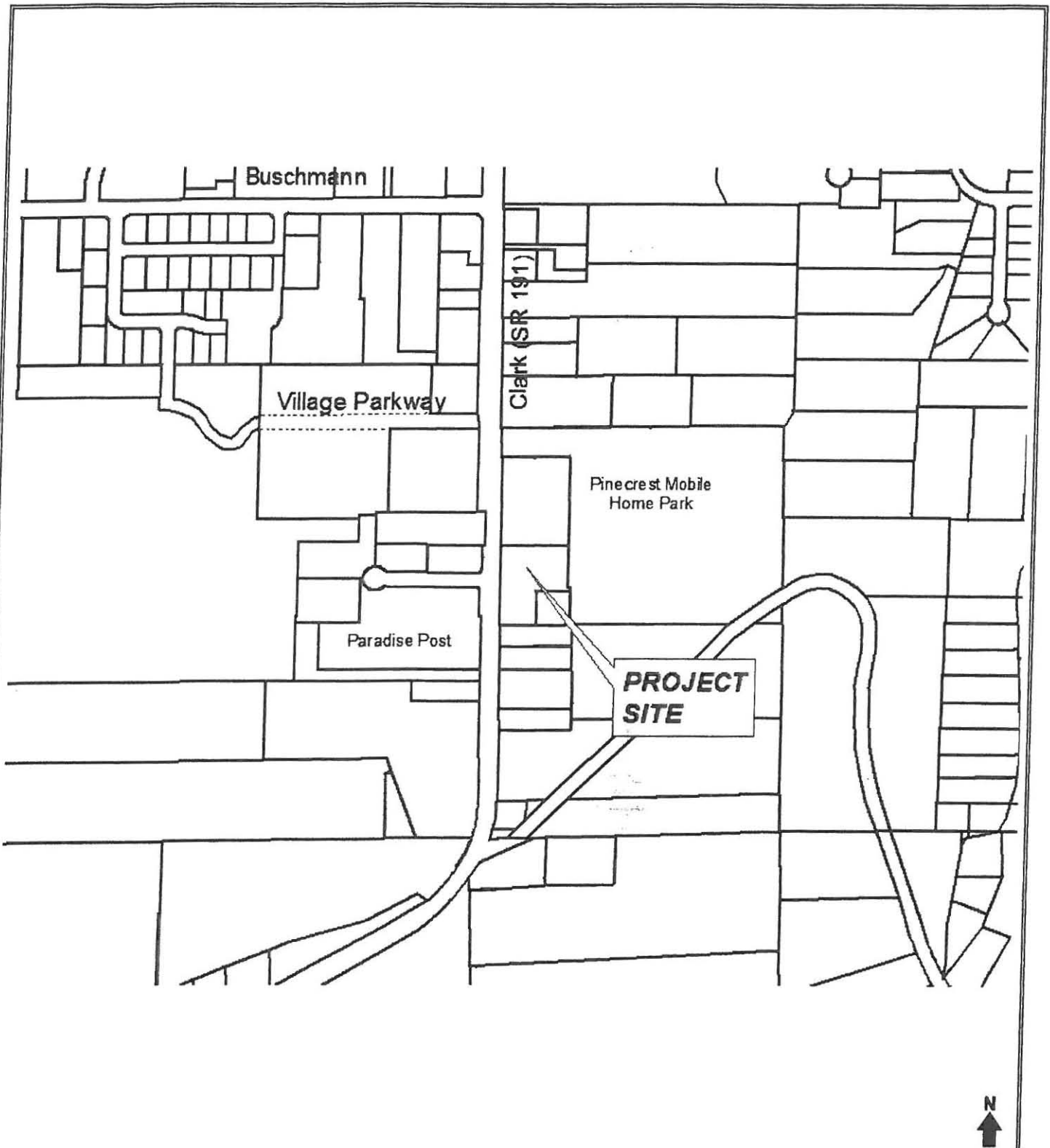
7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: _____

Craig Baker, Planning Director

Date: 5/7/15

INITIAL STUDY
FOR
PARCEL MAP (PL14-00316) APPLICATION
FOR
DANIEL HAYS



APPLICANT: Daniel Hays

OWNER: Powell Family Living Trust

5400 CLARK ROAD

REQUEST: Parcel map application proposing to create four parcels of record from a single, vacant +/-1.68 acre property zoned Community Commercial (CC).

Zoning: CC

GENERAL PLAN: TC

FILE NO. PL14-00316

ASSESSOR PARCEL: 054-120-060

MEETING DATE:

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING**

**Hays Parcel Map Application
PL14-00316**

PROJECT DESCRIPTION

The project proponent is seeking Town of Paradise approval for a parcel map application to divide an existing ± 1.68 acre property into four new parcels of record. The project site is zoned Community Commercial (CC).

ENVIRONMENTAL SETTING

Location

The project site is located in the southern portion of the Paradise community at 5400 Clark Road (State Route 191). The site is identified as Assessor Parcel Number 054-120-060 and is situated within a portion of Section 23, T22N, R3E, M.D.B.&M.

Land Use

The property is currently vacant, but has been previously developed. Improvements that previously existed on the site have been demolished and removed. Remnants of paved areas remain on portions of the site. Planned future use of the resultant parcels is for commercial land uses. Surrounding land use is mixed and consists of a mobile home park, single family dwellings, quasi-industrial uses and various commercial uses.

Topography, Soils and Vegetation

The property is situated at an approximate elevation of 1,650 feet above sea level. The site is nearly level and drains to the southwest into existing drainage facilities along the east shoulder of Clark Road. Soil on the site is classified as Aiken Very Deep (AVD). AVD soil generally exceeds five feet in depth and is considered to be excellent for wastewater treatment. Vegetation on the site is characterized by several small stands of native trees along the margins of the site and an open, grassy central area.

Public Services

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

Access:

Clark Road (State highway)

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:	Onsite septic tank/leachfield systems
Water Supply:	Paradise Irrigation District

PROJECT DETAILS

The proposed Hays parcel map project entails the creation of four parcels designed for commercial land use. The proposed parcels would be created from an existing, ±1.68 acre parcel of record that is currently vacant. The gross parcel sizes proposed for each parcel are 0.27 acre (Parcel 1), 0.55 acre (Parcel 2), 0.42 acre (Parcel 3) and 0.44 acre (Parcel 4).

As designed, Parcels 1, 2 and 3 would have ±70, ±126 and ±126.7 lineal feet of public road frontage along Clark Road. Access for Parcel 4 would be provided via the establishment of a 30 foot-wide private road and public utility easement encumbering portions of Parcels 1 and 2 and connecting to Clark Road directly opposite the Ewald Court private road encroachment which connects to the west side of Clark Road. An existing private road easement encumbers the south 60 feet of Parcel 3, provides access to an adjacent residential property and is proposed to remain. An existing shed structure presently located upon what would become Parcel 3 is proposed to be removed.

The project includes a proposal to develop the proposed onsite private road easement with a paved private road (including drainage facilities) constructed to the appropriate Town standard with a turnaround facility at its eastern terminus on proposed Parcel 4.

Wastewater disposal for subsequent development of the resultant parcels is proposed to be provided via the construction of two separate community wastewater disposal systems to serve future commercial uses on the resultant parcels. Any increase in storm water runoff resulting from the development of additional impervious surfaces on the resultant parcels is proposed to be detained in an underground storm water detention facility which will be designed to meter the release of storm water at pre-development levels.

It is likely that development of private road access and drainage improvements for the project will result in the felling and removal of approximately two native pine trees.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|--|--|
| 1. Name of Proponent | Daniel Hays |
| 2. Address and phone number of proponent | 1351 Mangrove Avenue, Suite A, Chico, CA 95926; (530) 624-5777 |
| 3. Date of checklist | May 4, 2015 |
| 4. Zoning and general plan designation | Community Commercial (CC); Town Commercial (TC) |
| 5. Name of proposal, if applicable | Hays parcel map (PL14-00316) |

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				<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)?	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				<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?	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			<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)?	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?	12				<u>X</u>
g. Altered direction or rate of flow of groundwater?	12				<u>X</u>
h. Impacts to groundwater quality?	12			<u>X</u>	
i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?	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?	12				<u>X</u>
b. Expose sensitive receptors to pollutants?	12			<u>X</u>	
c. Alter air movement, moisture, or temperature, or cause any change in climate?	12				<u>X</u>
d. Create objectionable odors?	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			<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			<u>X</u>	
c. Inadequate emergency access or access to nearby uses?	11			<u>X</u>	
d. Insufficient parking capacity onsite and offsite?	12				<u>X</u>
e. Hazards or barriers for pedestrians or bicyclists	11				<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, 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)?	11				<u>X</u>
e. Wildlife dispersal or migration corridors?	1				<u>X</u>
8. ENERGY AND MINERAL RESOURCES. Would the proposal:					
a. Conflict with adopted energy conservation plans?	1				<u>X</u>
b. Use nonrenewable resources in a wasteful and inefficient manner?	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?	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)?	12				<u>X</u>
b. Possible interference with an emergency response plan or emergency evacuation plan?	1				<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?	12				<u>X</u>
e. Increased fire hazard in areas with flammable brush, grass or trees?	11,12			<u>X</u>	

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
10. NOISE. Would the proposal result in:					
a. Increases in existing noise levels?	12			<u>X</u>	
b. Exposure of people to severe noise levels?	10				<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?	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?	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?	12			<u>X</u>	
b. Communications systems?	12				<u>X</u>
c. Local or regional water treatment or distribution facilities?	4			<u>X</u>	
d. Sewer or septic tanks?	12			<u>X</u>	
e. Storm water drainage?	3			<u>X</u>	
f. Solid waste disposal?	12				<u>X</u>
g. Local or regional water supplies?	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?	12			<u>X</u>	
14. CULTURAL RESOURCES. Would the proposal:					
a. Disturb paleontological resources?	2, 12				<u>X</u>
b. Disturb archaeological resources?	2, 12			<u>X</u>	
c. Affect historical resources?	2, 12				<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, 12				<u>X</u>
e. Restrict existing religious or sacred uses within the potential impact area?	2, 12				<u>X</u>
15. RECREATION. Would the proposal:					
a. Increase the demand for neighborhood or regional parks or other recreational facilities?	1, 12			<u>X</u>	
b. Affect existing recreational opportunities?	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?	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?	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**

**Hays Parcel Map Application
PL14-00316**

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 developer has agreed to mitigation measures that have been identified and assigned to address significant adverse 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 three new, vacant commercial building sites. The addition of three new 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 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 three new commercial building sites. Zoning assigned to the site by the Town of Paradise is Community Commercial (CC), which potentially allows multiple-family land use, subject to town review and issuance of a discretionary site plan review permit. Ultimately, upon full build-out and future occupancy, the zoning of the new building sites could accommodate a maximum of 16 residences and a population increase of approximately 37 year-round residents, provided that adequate wastewater disposal could be provided for such a development. However, it should be noted that this residential density could also potentially be achieved if the property were left undivided. In addition, establishment of a multiple-family residential development to the maximum density allowed by the CC zoning regulations would be subject to further environmental review pursuant to the California Environmental Quality Act (CEQA). 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 gentle slopes and well-structured soils on the project site do not pose a threat of landslides, mudflows or subsidence. 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.** 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 Hays parcel map 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 required site improvements. Additional drainage plans will be required prior to the issuance of building permits authorizing construction upon resultant vacant parcels. It should be noted that the project site could be developed similarly as a single parcel pursuant to current zoning regulations. Accordingly, impacts related to increased erosion and streambed siltation are expected to be less than significant and no mitigation measures appear to be necessary.
- e. **Item 5 - Air Quality.** Town approval of the Hays parcel map application will 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, if the Hays parcel map is approved, 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.** Access to the project site is provided via Clark Road, a paved public street. The project site frontage is improved with three separate driveway encroachments, one of which is embodied within a sixty foot wide private road easement and provides access to a residence on an adjacent property.

The two other driveway encroachments are very deteriorated and formerly served a previous commercial land use that has been demolished. As designed and submitted, this project will result in the abandonment of these two deteriorated encroachments and the development of a single new driveway encroachment aligned with Ewald Court, a dead-end private road connecting to Clark Road on its west side. Caltrans staff has reviewed this proposed project design and found it to be more favorable when compared to the current location of driveway encroachments. If the Hays parcel map project is approved, the Town of Paradise will assign conditions to the map approval requiring the proposed design to be implemented. Accordingly, no significant project-induced traffic hazards are foreseen.

- g. **Item 7 - Biological Resources.** Review of the California DFG 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. Although native trees and areas of understory vegetation on the site provide shelter and food sources for a variety of localized bird, rodent and other animal populations, it is not anticipated that the creation of three new commercial building sites will significantly displace animal populations because the site is small and has previously developed. Therefore, no significant adverse environmental impacts to local animal populations are anticipated.
- h. **Item 8 - Energy and Mineral Resources.** Due to the fact that the project is limited to the creation of three additional commercial building sites, no significant loss or use of non-renewable resources is expected. In addition, any new buildings will be required to be constructed in accordance with current Uniform 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, the proposed minor land division and the subsequent construction commercial improvements should not pose significant or unusual health risks associated with explosions or the release of toxic substances.
- j. **Item 10 - Noise.** The project will result in increases of existing noise levels that should occur predominantly during the eventual construction of road and drainage improvements and future commercial 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.

The project site is located on the east side of Clark Road. Clark Road is identified within the 1994 Paradise General Plan as a high-volume arterial street. As a result, the

project site is adversely affected by excessive traffic noise. Table 3.8-1 contained within Volume II (Environmental Impact Report) of the 1994 Paradise General Plan indicates that the 60 decibel (dB) day-night average (L_{dn}) noise contour along Clark Road in the vicinity of the project site is approximately 144 feet from the centerline of Clark Road.

Several policy statements contained within the Noise Element of the 1994 Paradise General Plan address the establishment of noise-sensitive land uses in locations which are adversely affected by transportation noise sources. Accordingly, these policies require the application of noise mitigation measures under such circumstances. In order for the project to be found in compliance with all General Plan policy statements, this impact must be mitigated. Accordingly, the following specific mitigation measures designed to achieve compliance with applicable General Plan policies and reduce noise impacts to a level that is less than significant shall be required by the Town of Paradise to be implemented by the project developer:

Mitigation measures:

1. Indicate on the final parcel map a 60 dB L_{dn} noise contour line measured 144 feet from the centerline of Clark Road.
2. Place the following note upon the final parcel map: "Prior to the issuance of building permits authorizing construction of buildings (or portions thereof) within 144 feet of the center of Clark Road, the project developer shall submit material evidence demonstrating to the satisfaction of the Town Building Official that interior spaces of such buildings that are intended for occupancy shall not be exposed to noise levels exceeding those levels identified in Table 6.4-2."

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. Comments received from the Paradise Fire Marshal indicate that adequate fire protection for the proposed new building sites can currently be provided in accordance with current Uniform Fire Code requirements. Accordingly, no significant impacts related to fire protection are foreseen as a result of project approval and no mitigation measures appear to be necessary.

Schools: Based upon a 0.39 student yield factor per new home, it is estimated that a potential increase of approximately 6.24 new students could ultimately be generated if the site were developed to its highest residential density potentially permitted in the CC zoning district. Current revenues received from developers of new dwelling and commercial building construction 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 land division and the potential residential density for the project site.

Zoning assigned to the site by the Town of Paradise is Community Commercial (CC), which potentially allows multiple-family land use, subject to town review and issuance of a discretionary site plan review permit. Ultimately, upon full build-out and future occupancy, the zoning of the new building sites could accommodate a maximum of 19 residences and a population increase of approximately 37 year-round residents, provided that adequate wastewater disposal could be provided for such a development. However, as discussed under Item 2 of this document (Population and Housing), it should be noted that this residential density could potentially be achieved on the site even if the property were left undivided. In addition, establishment of a multiple-family residential development could only be to the maximum density allowed by the CC zoning regulations would be subject to environmental review pursuant to the California Environmental Quality Act (CEQA). Therefore, the impacts of this proposed project related to population and housing are expected to be less than significant and no mitigation measures appear to be necessary.

Since the project does not propose the establishment of a higher residential density than is permitted by current zoning for the project site (or any residential density at this time), any impacts to schools created by approval of this proposed land division are not anticipated, 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 vacant parcel is proposed to be provided via the construction of two separate clustered 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 that compliance with the requirements of the Town of Paradise sewage disposal ordinance can be accommodated for the project. 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 three additional commercial building sites. Comments received from PID staff relative to this project do not indicate a concern regarding the district's delivery facilities or their capacity to serve the proposed project. Therefore, no significant impacts related to

water supply are anticipated as a result of project approval.

- m. **Item 13 - Aesthetics.** The project is not located within any formally designated scenic area and is not subject to design review based upon aesthetics. The actual aesthetic impact of the project upon the immediate area should be minimal, since future development of the new Parcels should not be out of character with the existing environmental setting or inconsistent with the intent of General Plan Policies or PMC regulations intended to protect the visual quality of the Town's neighborhoods. Future development of the site shall be subject to the Town of Paradise Design Standards in order to assure quality architectural design and compatibility with adjacent land uses and structures. Thus, any future aesthetic impact is not anticipated to be significantly adverse and 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. The site was previously developed for unknown purposes and the surface of the ground has clearly been disturbed. In addition, the area of the site has been developed for commercial, industrial and residential land uses for several decades. No known archaeological or historical sites are located on the site or in the project vicinity. Based upon these circumstances and observations, it is unlikely that development of the site in the future would result in the location or discovery of any archaeological or historic cultural resources on the project site. However, a slight possibility exists that ground-disturbing activities associated with future development of the site could result in the discovery of cultural resources. Therefore, if the project will be conditioned in a manner that requires the following note to be placed upon the final parcel map information sheet:

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

If the project is approved and conditioned accordingly, any impacts related to cultural resources are expected to be less than significant and no mitigation measures appear to be warranted.

- o. **Item 15 - Recreation.** The creation of three new commercially-zoned building sites may create a measurable potential for additional Paradise citizens that will utilize existing park and recreation facilities. Additional usage may contribute to an on-going 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 recreation district to offset the eventual added impact upon area wide recreation facilities. Therefore, no significant adverse impacts related to local

recreational opportunities are expected as a result of project approval.

- p. **Item 16 – Greenhouse Gas Emissions.** The main sources of greenhouse gasses for development projects is the combustion of fossil fuels from construction equipment or vehicles traveling to the development during operation. The Hays parcel map application is limited in scope and does not propose any new construction or new uses. However, three new commercial building sites would be created and be available for development at a later date, pursuant to zoning regulations in effect for the site at the time of development.

The project does not include new uses that would generate significant greenhouse gas emissions. The Town of Paradise does not have a Greenhouse Gas Reduction Plan. The project does not conflict with any state plans, policies or regulations regarding greenhouse gas emissions. While it is acknowledged that small increases in greenhouse gas emissions associated with future development of the site will occur, the site is currently available for development without parcel map approval. Due to the small size of the site and in consideration of the land uses that are permitted and potentially permitted pursuant to the zoning assigned to the site, these increases will not rise to significant levels and no mitigation measures are deemed to be necessary.

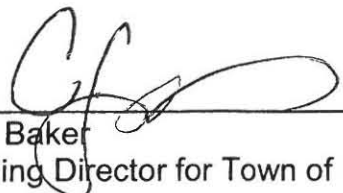
2. **Mitigation Monitoring**

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. ☐




Craig Baker
Planning Director for Town of Paradise

Date 5/7/15

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: Paradise East, Calif., 1969
6. The California natural diversity database, California Department of Fish and Wildlife
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, November 10, 2014 and May 5, 2015
12. Parcel map application materials submitted to the Town of Paradise on behalf of Daniel Hays on November 6, 2014 and January 14, 2015.
13. Butte County Climate Action Plan, adopted on February 25, 2014

Initial Study
Prepared by:


Craig Baker

Planning Director for Town of Paradise