

P L A N N I N G C O M M I S S I O N A G E N D A

January 17, 2012

6:00 p.m.

CALL TO ORDER

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

ROLL CALL

1. APPROVAL OF MINUTES

- a. Regular meeting of October 18, 2011

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 HEARINGS – None.

5. PUBLIC HEARING

- a. Item for which an Initial Study has been prepared and for which a Negative Declaration is proposed to be adopted:

VISINONI PARCEL MAP APPLICATION (PL11-00156): Planning Commission consideration of a parcel map application to divide an existing +/-3.3 acre property into four parcels of record for single-family residential use. The project site, zoned Rural Residential–2/3 acre minimum (RR-2/3), is located at 678 Buschmann Road in Paradise and is further identified as Assessor Parcel No. 052-360-007.

6. OTHER BUSINESS

- a. Discussion regarding the content of the current Procedural Rules of Conduct of Planning Commission Meetings and consideration of whether to direct staff to return with a Planning Commission Resolution rescinding Planning Commission Resolution No. 96-001, resulting in changes to the current Procedural Rules.

7. COMMITTEE ACTIVITIES

8. COMMISSION MEMBERS

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

9. ADJOURNMENT

PARADISE PLANNING COMMISSION
October 18, 2011 - 6:00 p.m.
Paradise Town Council Chambers
5555 Skyway, Paradise, CA

M I N U T E S

CALL TO ORDER

The meeting was called to order by Chair Grossberger at 6:00 p.m.

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

ROLL CALL

Present at roll call were Commissioners Bolin, Jones, Woodhouse, Zuccolillo and Chair Grossberger. Community Development Director Craig Baker was also present.

1. APPROVAL OF MINUTES

a. Regular Meeting of September 20, 2011.

It was moved by Commissioner Woodhouse, seconded by Commissioner Bolin and unanimously carried by those present to approve the minutes of the September 20, 2011 Planning Commission meeting as submitted by staff.

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

MOTION CARRIES.

2. COMMUNICATION

a. Recent Council Actions

Mr. Baker reported on recent actions of the Town Council at their regular meeting of October 4, 2011: Adoption of Ordinance No. 523, Adding a Chapter to the Paradise Municipal Code Restricting Medical Marijuana Cultivation; Adoption of Resolution 11-40, Designating a Landmark Tree at 1627 Meadowbrook Lane, the first landmark tree designation for the Town.

b. Staff Comments

Community Development Director Baker informed the Planning Commissioners of a free Planning Commissioner Training Workshop in Chico on Saturday, October 29 from 9 am to noon and encouraged their attendance at the workshop.

3. PUBLIC COMMUNICATION – None.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

Following Community Development Director Baker’s announcement of the first public hearing, Planning Commissioner Jones stated that she is recusing herself from this item.

a. Item for which an environmental impact report and an environmental assessment have been previously certified:

PARADISE COMMUNITY VILLAGE MITIGATION MEASURE AMENDMENT REQUEST: Planning Commission consideration of a resolution recommending Town Council approval for amendments to mitigation measures contained within the environmental documents prepared and certified in 2007 for a previously-approved mixed-use planned development project. If ultimately approved by the Town Council, the modification request would result in the implementation of an alternative formula for calculating traffic mitigation fees for the project, but is not intended to result in an overall reduction or elimination of the required fees. The +/-48.38 acre project site, zoned Community Services/Planned Development (CS/PD), is located at the west end of Village Parkway in Paradise and is further identified as Assessor Parcel Nos. 054-380-001 and 002.

Community Development Director Baker explained that the request is for modification to two mitigation measures that are contained the Environmental Impact Report (EIR) for the Paradise Community Village project and which are mirrored in the Environmental Assessment (EA); gave a brief background on the project describing the location, size and potential development planned for the site; and, discussed changes that have occurred since the project approval, which was originally envisioned to progress quickly with funding being provided by the sale of the single family homes planned for the site. Since the downturn in the housing market for single family lots, the project is not progressing as planned. The first phase of the project is progressing, facilitated primarily by grant funding and administered by the California Housing Improvement Program located in Chico.

Mr. Baker briefly explained the process through which traffic signals for intersections are funded (mitigation fees), and that the developer submitted on September 21, 2011, a request to the Town to modify two mitigation measures in the Environmental Impact Report (EIR) to establish a “fair share contribution” towards the eventual signalization of the Buschmann Road/SR191 and Village Parkway/SR191 intersections, as the traffic impact of the first phase will be less than that of the entire project as originally proposed. Mr. Baker stated that the Planning Commission is being asked to adopt a resolution that would forward a recommendation to the Town Council to hold a public hearing and to consider formally amending certain mitigation measures 4.3.1 and 4.3.3 of the EIR and 14 and 15 of the EA for the Paradise Community Village project; and, that the proposed alternative formula is attached to the resolution document.

Commissioner Woodhouse asked for clarification and Mr. Baker explained that if a resolution is adopted by the Town Council, fees would be due as each building, not each dwelling unit, is completed and issued a certificate of occupancy; that it is anticipated that Phase 1, the development of the affordable housing, will occur at a fast pace; that the funding is in place for the project; and, building permits must be pulled by the end of December 2011.

Chair Grossberger opened the public hearing at 6:13 p.m.

Project Applicant:

Steve Gibson, Executive Director for Paradise Community Village, thanked the Planning Commission, stated that Mr. Baker did a good job in summarizing the project, that when the project came forward four years ago a much faster build out was anticipated, and that the proposal does not reduce the fees but sets up more of a pro-rated share of cost as the elements come on line. Otherwise, the cost to CHIP will make the project unaffordable.

Commissioner Woodhouse asked if there would be any difficulty in obtaining tenancy and Mr. Gibson stated that the CHIP process is rigorous and competitive, and that the market study that was done proved to the funding sources that there is a market in this community that would fill the units to the extent that they would pay their way. There will be 11 residential buildings in the project including a community building that has community services on site.

Nicole Ledford, Northstar Engineering, stated that she thinks this process has clarified the timing and the payments for construction of the signals; and, they are working within the confines of where the development is at: the approved EIR, the approved tentative map and a completed traffic analysis.

Commissioner Bolin asked what happens if some of the planned development does not take place, as he has heard rumors about the middle school, the soccer fields and the skate park, and that he doesn't see how the project would get to the \$41,000 without those projects.

Ms. Ledford stated that she thinks there would be an overall requirement for the site, and if the lots aren't going to the same use they would look at the equivalent traffic and if it's going to provide less or more of that amount, and the development of the lots would be a Town decision.

Commissioner Bolin asked if there is a trigger point for the signal to be built, and Mr. Baker stated there is a trigger point that relates to the percentage of vehicle trips assigned to each use, which is 50% for the Buschmann/Clark intersection and 75% for the Village Parkway/Clark (percentage of project buildout).

Chair Grossberger asked if the rumors could be clarified (if some elements of the project aren't going to happen), and if the necessary contribution will remain at \$41,000; and Mr. Baker stated that they could not dispel any rumors, that staff and Cal Trans staff believe the figures are valid, that the figures associated with traffic analysis are estimates, that subsequent phases of the project will be subject to Town review and assessed independently, and that a development could come in that would generate more traffic than what is currently estimated and which could require a greater contribution than anticipated. Mr. Gibson stated originally they anticipated that everyone would be paying their share at the same time and now they have

basically had to triage to pay a portion in order to move forward with the first phase of the development.

Chair Grossberger stated that the percentage of the 100% required from the development would be a fair share apportionment and that she thinks this is a timing issue.

Mr. Gibson stated that they have lived with rumors since the inception of the project.

Mr. Baker stated there is the possibility of other future contributions towards the signal, for example, a 60-lot residential subdivision has been approved for property adjacent to Clark Road which is conditioned to contribute to the signal at such time as the project goes forward. Other development above and beyond the PCV project would contribute towards signalization if it is found during an Environmental Impact Review (EIR) process that there would be a traffic impact upon the intersections.

Commissioner Zuccolillo discussed the possibility of the housing project going in, but other parts of the project not building out, and asked if the last developer would be get stuck paying a larger portion of the signal cost, and asked if there is gap at build out, for example, if only \$30,000 of the \$41,000 was collected, then who pays the difference. Mr. Baker stated that it is not proper and may not be legally defensible to exact from any developer more than their fair share of the impact.

Mr. Gibson stated that they would have to wait and Ms. Ledford discussed that if different uses came in, their number of trips could be lower, and that traffic for the overall site could be lower – the 16.7% figure assigned to PCV will not change.

Commissioner Zuccolillo questioned if the 50% is reached (that would require construction of a signal) and if the amount of mitigation fees collected come up short of the \$41,000, where would the needed money come from.

Mr. Baker stated that he does not think there is a definitive answer to the question, that signal projects completed in the Town since he has worked here have been primarily grant funded and have been Town of Paradise intersections, not State intersections.

Chair Grossberger stated that she sees this as a matter of timing and a fair share issue as the applicant is not asking that the percentage or the total amount be changed and that the traffic generation anticipated for the total project will not occur with phase one development.

Mr. Gibson stated that in the beginning it was not anticipated that they would have to “piecemeal” the project, and that it would be cost prohibitive for CHIP to move forward if the total 16.7% has to paid out at once.

Attending Public:

Jon Remalia asked about apportioned share, and how does one pay an apportioned share of an unknown, and suggested when the trips per day generated on the road

exceeds a given number, then use that traffic count as a trigger, and suggested using the City of Chico, with whom the Town has contracted, to look at the project and come up with ideas, and that using actual numbers generated in the subdivision makes more sense, and that he thinks everything is too up in the air.

Chair Grossberger closed the hearing to the public hearing at 6:30 p.m.

Commissioner Zuccolillo asked what happens if there is lack of funding for a traffic signal on the Cal Trans side, and Commissioner Woodhouse stated that it seems if the 50% is reached and there is no further funding then the Town is stuck in a catch 22 situation and there can be no further development on the PCV project.

Community Development Director Baker stated, in response to Mr. Remalia's question, that the current mitigation measures are based upon traffic counts and that Cal Trans, the agency responsible for the intersections, have reviewed and endorsed the modified mitigation measures.

AGENDA ITEM 5(a): It was moved by Commissioner Bolin, seconded by Commissioner Woodhouse, and carried by those participating, to adopt Resolution No. 11-07, A Resolution of the Town of Paradise Planning Commission Recommending Town Council Modification of Mitigation Measures Relating to the Environmental Impact Report and the Environmental Assessment for the Paradise Community Village Project.

ROLL CALL VOTE:

AYES: Commissioners Bolin, Woodhouse, Zuccolillo and Chair Grossberger.

NOES: None.

ABSTAIN: Commissioner Jones.

ABSENT: None.

MOTION CARRIES.

Community Development Director Baker announced that the decision of the Planning Commission may be appealed within the next seven (7) days.

Community Development Director Baker announced the second public hearing scheduled as follows:

b. Item for which a mitigated negative declaration document has been previously certified:

PARADISE IRRIGATION DISTRICT USE PERMIT MODIFICATION REQUEST (PL11-00302): Planning Commission consideration of a request to modify the terms and conditions assigned to a previously-approved use permit application authorizing the establishment of a water utility corporation yard and operations facility. The requested modifications involve changes to the timing of project improvements construction relative to the issuance of building permits for the project and are not intended to relieve the project developer of any specific development standards or adopted mitigation measures assigned to the project. The

+/-3.4 acre project site, zoned Community Commercial (CC), is located at 6344 Clark Road in Paradise and is further identified as Assessor Parcel No. 053-150-195.

Community Development Director Baker reported to the Commission regarding the request of Paradise Irrigation District for modification to conditions of approval assigned to a use permit application relating to the establishment of a water utility corporation yard and operations facility; and, that the use permit was conditionally approved by the Planning Commission on October 19, 2010, subject to 48 conditions of approval. If approved, the effect of the modifications would require construction of all paved interior roadways and parking areas and the construction of public street frontage improvements prior to the issuance of a certificate of occupancy rather than prior to issuance of building permits; and, allow issuance of a building permit prior to installation of an on-site fire hydrant provided no flammable materials were placed on the site until the hydrant is installed and functioning. (Conditions #10, 28 and 36). Mr. Baker stated that the staff thinks the request is reasonable and the concerns are that frontage improvements must be in place prior to issuance of certificates of occupancy; that all fire access roadways be constructed and maintained in conformance with Fire Code requirements; and, that fire hydrants be in place and functioning prior to placement of any flammable materials on the site. Mr. Baker noted that there is a fire hydrant located on Clark Road that appears to be within 500' feet of the proposed building structures.

Mr. Baker further indicated that this modification request is not unusual or unreasonable, and, in fact, the Fire Marshal confirmed that Fire Chief Cone has talked with other jurisdictional fire chiefs in the area who have indicated this is a common practice to allow slabs, metal framing erected, metal siding to be placed, and prior to any wood frames or lumber being brought onto the site, or interior finishing, that the onsite fire hydrant would need to be installed and functioning.

Commissioner Bolin stated that there will be wood framing in the slabs, and Mr. Baker stated that the 'combustible materials' would be addressed to the satisfaction of the Fire Marshal, and that that particular concern is addressed in the wording of condition #28.

Chair Grossberger opened the public hearing at 6:45 p.m.

Project Applicant:

George Barber, Paradise Irrigation District Manager, stated that they have run into some hurdles relating to timing of construction, as they are water providers and not contractors; that they would like to be able to get the slabs poured and some construction done on metal buildings during the winter months; pointed out the fire hydrants located on the property; explained that they are managing a storm water plan that relates to the frontage improvements for which they have provided a required ballast section to remove mud from trucks as they enter and exit and to have to construct the frontage improvements first would defeat that purpose as they would have to pull all that out; and, that the request is reasonable and simple and would get the building permits issued. Metal storage containers are on site to store hay bales and straw for storm water pollution prevention.

Attending Public:

Jon Remalia stated that there is a big difference between combustible and flammable material in the Fire Code; that his big concern is that when construction is taking place that the fire access road needs to be in place; thinks a temporary access road will solve the issue; and, that every other developer will need to be treated the same way with regard to fire apparatus road being granted a waiver until structure is occupied.

Chair Grossberger closed the public hearing at 6:50 p.m.

Community Development Director Baker stated that this is not a waiver of any specific requirements, and that the Planning Commission has broad discretion relating to use permits.

Chair Grossberger confirmed that approval of this request would not imply that every future use permit would have to be similarly approved.

AGENDA ITEM 5(b): It was moved by Commissioner Jones, seconded by Commissioner Zuccolillo and unanimously carried by those present (1) To adopt the findings “a” through “c” listed below; and, to approve the PARADISE IRRIGATION DISTRICT USE PERMIT MODIFICATION REQUEST (PL11-00302) affecting property identified as Assessor Parcel No. 053-150-195 subject to the following amended list of project conditions; and, (2) To direct Town Staff to execute and issue the modified use permit at the conclusion of the required appeal period, measured seven-days from the date of the Planning Commission’s action.

FINDINGS:

- a. Find that any potentially significant adverse environmental impacts associated with the PID project have been addressed with mitigations in a previously-adopted environmental document (Initial Study and Mitigated Negative Declaration certified by the PID Board on July 21, 2010).
- b. Find that the proposed modifications are consistent with the goals and policies of the 1994 Paradise General Plan and zoning ordinances.
- c. Find that the project, in the context of the requested modifications, will be compatible with surrounding land uses and shall not be detrimental to the public's health, safety and general welfare because the proposed modifications are consistent with the intent of the original project approval and all necessary on and off-site improvements will be in place and functioning upon completion of the project.

MODIFIED LIST OF USE PERMIT CONDITIONS:

1. If any land use for which a use permit has been granted and issued is not established within three years of the use permit permit’s effective date, the use permit may become subject to revocation by the Town of Paradise.

2. Unless otherwise noted, it shall be the sole responsibility of the project developer to implement, monitor and fulfill the requirements of all conditions and mitigations assigned to this use permit.
3. All work within the Clark Road public right of way is subject to Town issuance of an encroachment permit, which will require that the contractor be properly licensed and bonded with the Town of Paradise.
4. Establish and maintain on-site parking facilities and pavement markings in accordance with all town parking ordinance regulations and the requirements of the Town Engineer.
5. Outside light fixtures associated with the project shall be designed to not exceed a height of sixteen feet above finished grade and shall be shielded to prevent the direct projection of light onto adjoining and nearby properties.
6. If any archaeological resources are uncovered during project construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.
7. Minor changes to the interior and/or exterior design of the project may be approved administratively by the Town Planning Director upon submittal of a written request for such changes, if the requested changes are consistent with the overall intent of the project and its approval action. Any requested changes deemed by the Planning Director to be major or significant shall require a formal use permit modification review and the payment of the appropriate processing fees.
8. Pay development impact fees prior to issuance of building permits for project construction in accordance with Paradise Municipal Code requirements.
9. Fulfill the requirements of all mitigation measures assigned to the project via adoption of the mitigated negative declaration by the Paradise Irrigation District Board of Directors on August 18, 2010, in accordance with the required timing of such mitigation measures.

CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

ROADS AND ACCESS

- 10. Submit and secure Town Engineer approval of six (6) copies of design plans for the construction of frontage improvements in accordance with the requirements outlined within the memorandum regarding the Paradise Irrigation District project from Town Engineer Dennis Schmidt dated October 6, 2010 and on file in the town Community Development Department. Pay appropriate fees, provide the appropriate bonds and insurance certificates, and obtain town issued encroachment permit and construct all design-approved work in the right of way (including driveway approach and utility connections). All design features shall meet ADA requirements and comply with the Caltrans A-87**

standard, Town ordinances, accepted engineering standards and the requirements of the Town Engineer. Street frontage and driveway improvement plans must be approved PRIOR to the construction or installation of the required facilities.

Construct all proposed paved interior roadways/parking areas to the A-3a road standard (minimum 20 ft. wide, 2" AC, 6" AB curb, gutter or AC dike). Areas subject to truck and heavy loading should have the structural section designed accordingly. Paved parking facilities shall be designed in compliance with the Town of Paradise Off-street Parking Regulations.

11. Deed forty feet from the center of the Clark Road right-of-way or provide a deed document showing that this requirement has been met.

DRAINAGE

12. Provide a final design solution for drainage per requirements of the Town Engineer and the INTERIM DRAINAGE DESIGN GUIDELINES prepared April 2, 1998. Drainage facilities shall be designed in a manner that provides for the establishment of all necessary drainage improvements to accommodate existing and additional project induced drainage flows without generating any off-site adverse effects.
13. If legally required, obtain permits as necessary to realign the on-site storm drainage channel from the California Department of Fish and Game, Regional Water Quality Control Board and the Army Corps of Engineers.

SANITATION

14. Complete the requirements of the Town Onsite Sanitary Official concerning application, final system design, and issuance of permit approvals for installation of a sewage treatment and disposal system improvements to serve all proposed facilities. Provide evidence thereof to the Town Community Development Department (Community Safety Services Division).

SITE DEVELOPMENT

15. Submit three (3) copies of a detailed engineered site development and improvements plan showing all on-site and off-site project improvements and facilities as proposed and required. Plans shall be prepared by a registered civil engineer (including final parking facility design and site drainage design) and submitted to the Public Works Department (Engineering Division) for review and approval. Pay required site plan checking fee. Construction and drainage improvement plans must be approved PRIOR TO CONSTRUCTION or installation of the required facilities.
16. Pay appropriate processing fees and submit detailed grading plans and an estimate of cut/fill volume in accordance with the requirements of the Town Engineer. If cut and fill volumes exceed 5,000 cubic feet, "engineered grading" requirements will be triggered (geotechnical report, etc.). Engineered grading requirements may also be triggered if the building is proposed to be constructed upon fill material.

17. Incorporate Best Management Practices (BMPs) into the site design to insure that storm water runoff from the proposed facilities will not negatively influence storm water quality. Verify if separate permits (e.g. National Pollution Discharge Elimination System Permit) are required to operate this facility with the Regional Water Quality Control Board.
18. Show all easements of record on the site development and improvements plan as well as fifty-foot building setback lines measured from the centerline of Clark Road. Show required setbacks from storm drainage ways and facilities.
19. Apply for and secure Town issuance of a grading permit satisfying all Engineering Division requirements and the current town adopted edition of the Uniform Building Code. Pay applicable grading permit fees per current fee schedule.
20. Properly abandon or relocate any easements that conflict with the design of the project.
21. Make proper application to the Town of Paradise and pay applicable fees to facilitate the successful recordation of a lot line adjustment affecting properties identified as 053-150-195, 053-012-020 and 053-012-018 in accordance with the project site plan submitted on September 16, 2010 and the requirements of the Town Engineer.
22. Submit a detailed storm water pollution prevention plan (SWPPP) to the State Regional Water Quality Control Board (along with the appropriate filing fee). Provide a copy of this approved plan to the Town of Paradise prior to initiation of grading activities.
23. Submit a detailed soil erosion prevention plan to the Town Public Works Department for approval by the Town Engineer PRIOR to the start of any earthwork. Show all erosion control devices and sedimentation basins required by Paradise Municipal Code Section 15.04.280.
24. Submit a detailed dust emissions control plan to the Town Public Works Department and to the Butte County Air Quality Management District for approval PRIOR to the start of any earthwork.
25. Meet the requirements of the Town Building Official and the Town Fire Marshal regarding submittal of construction plans, interior automatic fire sprinkler plans, building permit applications, and all applicable Town adopted construction and fire code requirements.
26. Apply for and secure administrative design review approval for the exterior design of the proposed facility building(s) and identification sign(s). Building elevations shall be designed and exterior colors chosen in accordance with the requirements of the Town of Paradise Design Standards and shall include structural, design features and building materials that are compatible with existing commercial buildings.

27. Secure the issuance of a Town approved tree-felling permit prior to felling any qualifying trees.

FIRE PROTECTION

28. **Install new water mains and new onsite fire hydrants in accordance with the requirements of the Paradise Fire Chief. The new fire hydrants shall be installed and functioning prior to the placement of flammable building materials on the site, as determined by the Town Fire Chief. Building permits may be issued prior to hydrant installation. Fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions. Concrete slabs may be constructed and steel framing and shells erected prior to fire hydrant installation. However wood frame and infill construction cannot commence until after the required fire hydrant is installed and operational.**
29. Apply for and secure the issuance of required permits from the Butte County Health Department and the Paradise Fire Department for installation and operation of the on-site fuel dispensing facility and for the use and storage of any hazardous materials.

WATER

30. Meet all requirements of the Paradise Irrigation District (PID) Provide material evidence of having fulfilled this condition to the Town Community Development Department (Community Safety Service Division).

TREE FELLING

31. Submit and secure Town Planning Director review and approval of a professionally designed and accurately mapped “Tree Protection Plan” for the proposed project that provides for tree planting placement as well as existing tree protection measures (fencing, etc.); and prior to the commencement of ground disturbance site work (grading, etc.) for the project. The Tree Protection Plan shall be developed in accordance with the General Tree Preservation Recommendations contained within the Arborist Report developed by Gallaway Consulting in July 2010 for the Paradise Irrigation District Corporation Yard project.
32. All qualifying trees proposed to be retained and any native saplings proposed to be retained on the site as replacement trees shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.
33. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction that has the potential to effect trees to be retained.

34. The required landscape plan for the proposed Paradise Irrigation District commercial development project shall include provisions for the planting of evergreen climbing vines along perimeter fencing. All required replacement trees shall be planted on-site and within each landscape area, particularly in areas adjacent to residential land uses and in areas plainly visible from Clark Road. A minimum of fifty percent of required replacement trees shall be conifer species. Tree plantings shall be selected and ultimately approved by the Town for inclusion within the landscape plan primarily based upon their ability to provide summer shade for the project site. Smaller ornamental tree species (i.e. dogwood, crepe myrtle) shall not be considered suitable for purposes of mitigating the loss of native trees on the site and screening the proposed facilities from adjacent land uses.
35. The approval action of this tree felling permit application shall only be valid and in effect for two years (twenty-four months) past its conditional approval date.

**CONDITIONS TO BE MET PRIOR TO FINAL BUILDING INSPECTION AND
CERTIFICATES OF OCCUPANCY**

ROADS AND ACCESS

36. Construct and install required project site frontage improvements in accordance with approved frontage improvement plans. **Construct all proposed paved interior roadways/parking areas to the A-3a road standard (minimum 20 ft. wide, 2” AC, 6” AB curb, gutter or AC dike). Areas subject to truck and heavy loading should have the structural section designed accordingly. Paved parking facilities shall be designed in compliance with the Town of Paradise Off-street Parking Regulations.**
37. Submit reproducible “as-built” improvement plans for Clark Road street improvements.

SITE DEVELOPMENT

38. Construct all necessary site, drainage, access, wastewater treatment/disposal and other facilities improvements as required by the Town Engineer and the Town Onsite Sanitary Official. All construction shall be in conformance with generally acceptable engineering and construction practices.
39. Submit landscaping plans and application fee to the Community Development Department (planning division) in accordance with Paradise Municipal Code requirements. **IMPORTANT NOTE:** No final building inspection or occupancy shall be permitted until the landscape plans for the project have been formally approved by the Town of Paradise and landscape materials have been installed (or bonded to guarantee installation).
40. Meet the requirements of all other utility providers regarding the extension or relocation of utility service lines and the establishment of any necessary on site utility easements.

41. All new utility lines (electrical, cable television, telephone, etc.) shall be installed underground.
42. Project site perimeter fencing shall be sight-obscuring such that interior facilities are substantially screened from Clark Road and adjacent residential properties. Fencing proposed for the west boundary of the site should be off-set inward from the property line to allow for landscaping (photinia, English Laurel, evergreen climbing vines, etc.) to be installed along the exterior (west side) of the fencing. The color and design of the fencing material shall be subject to review for compatibility with the Town of Paradise Design Standards. The design of the exterior fencing shall not include the use of barbed wire.

FIRE PROTECTION

43. The security gate proposed to control vehicular access to the site shall operate automatically and shall meet the requirements of the Paradise Fire Chief.
44. Meet all other project requirements of the Paradise Fire Department in accordance with the Fire Department development review comments/conditions dated October 14, 2010 and on file with the Town Community Development Department.

SANITATION

45. Meet the requirements of Town onsite sanitation staff regarding inspection and approval for the construction and final design of the onsite sewage disposal system.

CONDITIONS OF LAND USE OPERATION

46. All land use activities associated with the function of the water utility corporation yard and operations facility shall be conducted in a manner that does not create noise disturbances across a real property line and in accordance with Town of Paradise noise ordinance regulations.
47. Any future function of the water utility corporation yard and operations facility that contributes to or creates a traffic or pedestrian hazard attributable to the project shall be corrected to the reasonable satisfaction of and in a manner deemed acceptable to the Town Engineer within sixty days after receipt of a town-issued notification for correction.
48. Any recommendations or mitigation measures developed in association with the conduct of a noise study or acoustical analysis for the project shall be incorporated into the design and function of the proposed corporation yard.

ROLL CALL VOTE (Item 5b – PID Use Permit Modification Request):

AYES: Commissioners Bolin, Jones, Woodhouse, Zuccolillo and Chair Grossberger.

NOES: None.

ABSTAIN: None.

ABSENT: None.

MOTION CARRIES.

6. OTHER BUSINESS – None.

7. COMMITTEE ACTIVITIES – None.

8. COMMISSION MEMBERS

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

At the request of Chair Grossberger, the Planning Commissioners concurred to place consideration of the Planning Commission Conduct of Meetings on the next available Planning Commission agenda.

9. ADJOURNMENT

The Planning Commission meeting was adjourned at 6:55 p.m.

Date Approved:

April Grossberger, Chair

Attest:

Joanna Gutierrez, Town Clerk

**TOWN OF PARADISE PLANNING COMMISSION
PLANNING STAFF REPORT
MEETING DATE: January 17, 2012**

FROM: Craig Baker, Community Development Director
SUBJECT: Visinoni Parcel Map Application (PL11-00156)
DATE: January 11, 2012

AGENDA NO. 5 (a)

AP 052-360-007

GENERAL INFORMATION:

Applicant: Visinoni Bros.
5515 Clark Road
Paradise, CA 95969

Surveyor: L & L Surveying
P.O. Box 671
Paradise, CA 95967

Location: 678 Buschmann Road

Requested Action: Parcel map approval to divide an existing ± 3.3 acre property into four new parcels of record.

Purpose: To create three additional residential building sites.

Project Density: ± 1.21 dwellings per gross acre

Present Zoning: Rural Residential – 2/3-acre minimum (RR-2/3)

General Plan Designation: Rural Residential (RR)

Existing Land Use: Single-family residential

Surrounding Land Use: North: Buschmann Road
East: Medium density residential
South: Medium density residential
West: Medium density residential

Project site area: ± 3.3 acres

Environmental Determination: 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.

SPECIAL INFORMATION:

The project proponent is seeking Town of Paradise approval for a parcel map application to divide an existing ± 3.3 acre property into four new parcels of record. The project site is zoned Rural Residential – 2/3 acre minimum (RR-2/3) and is located in the southwest portion of the Paradise community on the south side of Buschmann Road.

The property is currently improved with a single family dwelling and a somewhat smaller accessory storage structure, both of which are located upon what is proposed to become Parcel 1. The gross parcel sizes proposed for each parcel are 1.5 acres (Parcel 1) and 0.67 acres (Parcels 2, 3 and 4). Proposed future use of the resultant parcels is single-family residential. Surrounding land use is characterized by medium-density single-family residential land uses.

As designed, Parcel No. 1 would have ± 334 lineal feet of public road frontage along Buschmann Road. Access for Parcel Nos. 2, 3 and 4 would be provided via the establishment of a private road easement connecting to Buschmann Road and encumbering portions of all four proposed parcels. 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 turn-around facility at its southern terminus to facilitate fire and emergency vehicle access. Development of road access and drainage improvements will not result in the felling and removal of any qualifying 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.

ANALYSIS:

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. Development of the initial study did not result in the identification of any potentially significant adverse environmental impacts and no mitigation measures were incorporated into the document. Therefore, the project, if conditioned prudently, will not result in direct and significant adverse effects upon the existing environmental setting.

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 the zoning assigned to the site. The project should also be consistent with surrounding parcel sizes and compatible with surrounding land uses.

Collectively, Town staff and Paradise Irrigation District staff are supportive of the project and have developed recommended conditions of project approval designed to assure the orderly development of this portion of the Paradise community. Accordingly, staff is recommending project approval, based upon and subject to the following list of findings and conditions:

REQUIRED FINDINGS FOR APPROVAL:

- a. Find that no potentially significant adverse environmental impacts have been identified within the environmental document prepared for the project and adopt a negative declaration.
- 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 residential 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 extensively altered by residential and agricultural 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 Visinoni parcel map application (PL11-00156) proposing to create four parcels of record from an existing ± 3.3 acre property located at 678 Buschmann 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 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. Road and drainage plans must be approved **PRIOR** to the construction or installation of the required facilities.
2. Access to parcels for ingress and egress/public utilities shall be shown on the final parcel map.
3. Deed thirty feet from the center of the Buschmann Road right-of-way to the Town of Paradise or provide a recorded deed document showing that this requirement has been met.
4. Construct or defer by covenant executed with the Town of Paradise a one-half street section upgrade improvement along the project site frontage of Buschmann Road to the town-adopted B-2 road standard.
5. Place the following notes on the final map information data sheet:
 - a. "Prior to the issuance of a building permit authorizing residential development upon Parcel Nos. 2, 3 or 4, the project developer shall apply for and secure town issuance of an encroachment permit, physically abandon the existing driveway connection to Buschmann Road serving the existing dwelling and construct on-site private road and drainage improvements in accordance with town-approved private road and drainage improvement plans for the Visinoni parcel map. The private road shall be constructed to the town-adopted A-2a standard. Street signs and all pavement markings shall be installed as required and at the developer's sole expense."
 - b. "Upon completion of the on-site private road improvements and prior to the issuance of a building permit authorizing residential development upon Parcel Nos. 2, 3 or 4, the project developer shall apply for and secure town approval for a change of address for the existing residence

located upon Parcel 1 from a Buschmann Road address to an address assigned to the new private road.”

- c. “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.”
 - d. “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.”
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.
 7. Provide a recorded road maintenance agreement in a form deemed acceptable to the Town Engineer obligating all 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 Buschmann Road, a thirty foot building setback line measured from the center of the proposed on site private road easement and a thirty foot building setback line measured from the center of Kemlyn lane.
10. The proposed on-site private road and public utility easement shall encumber all private road and drainage improvements.
11. Place the following notes on the final map information data sheet:
 - a. “No fences shall be established within the private road and public utility easement serving these parcels. In addition, no solid wood or masonry fences over four feet in height shall be established within building setback areas.”

- b. “Prior to the issuance of building permits authorizing residential development of Parcels 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.”
12. Establish an on-site drainage easement that encumbers all land within ten feet of the center of the on-site drainage and offer for dedication to the Town of Paradise as proposed.
13. Remove any existing fencing located within land to be offered for dedication to the Town of Paradise for additional public street right-of-way.

SEWAGE DISPOSAL

14. Satisfy all requirements of the Town of Paradise Onsite Sanitary Official concerning the design of the final parcel map including delineation of all areas deemed to be unsuitable for wastewater disposal
15. Provide material evidence to the Town of Paradise that the existing water well serving the existing residence on the site has been abandoned in a manner deemed satisfactory to the Butte County Environmental Health Department.
16. Secure the issuance of a Town of Paradise septic system alteration upgrade permit and upgrade and alter the existing septic system serving the existing residence on the site as outlined in the memorandum from Wastewater division staff dated August 24, 2011 and on file in the Town Community Development Department.

UTILITIES

17. Meet the requirements of the Paradise Irrigation District (PID) in accordance with the comments provided by PID staff for the Visinoni project, dated May 23, 2011 and on file with the town Community Development Department.
18. Meet all other requirements of utility companies regarding the establishment of necessary public utility easements.

FIRE PROTECTION

19. 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 Department Project Condition Letter and memorandum dated June 1, 2011 on file in the Town Community Development Department and shall include an adequate turnaround facility at its southern terminus to accommodate fire and emergency vehicle access in accordance with town adopted road standards.”
 - b. “The project developer shall implement and maintain a fuel reduction plan for the parcels meeting the requirements of the Paradise Fire Department in accordance with the Paradise Fire Department Condition Letter and memorandum dated June 1, 2011 for the Visinoni parcel map application and on file in the Town Community Development Department. The fuel reduction plan shall be binding upon future owners of Parcel Nos. 1, 2, 3 and 4 and shall be recorded with the final parcel map.”
 - c. “All buildings constructed upon Parcel Nos. 1, 2, 3 or 4 shall be constructed in accordance with the California Fire Code’s Wildland/Urban Interface Code in effect at the time of building permit application and in accordance with the Paradise Fire Department Project Condition Letter and memorandum dated June 1, 2011 for the Visinoni parcel map application and on file in the Town Community Development Department.”
20. Meet all other requirements of the Paradise Fire Department in accordance with the Fire Department Project Condition Letter for the Visinoni parcel map dated June 1, 2011 and on file in the Town of Paradise Community Development Department.

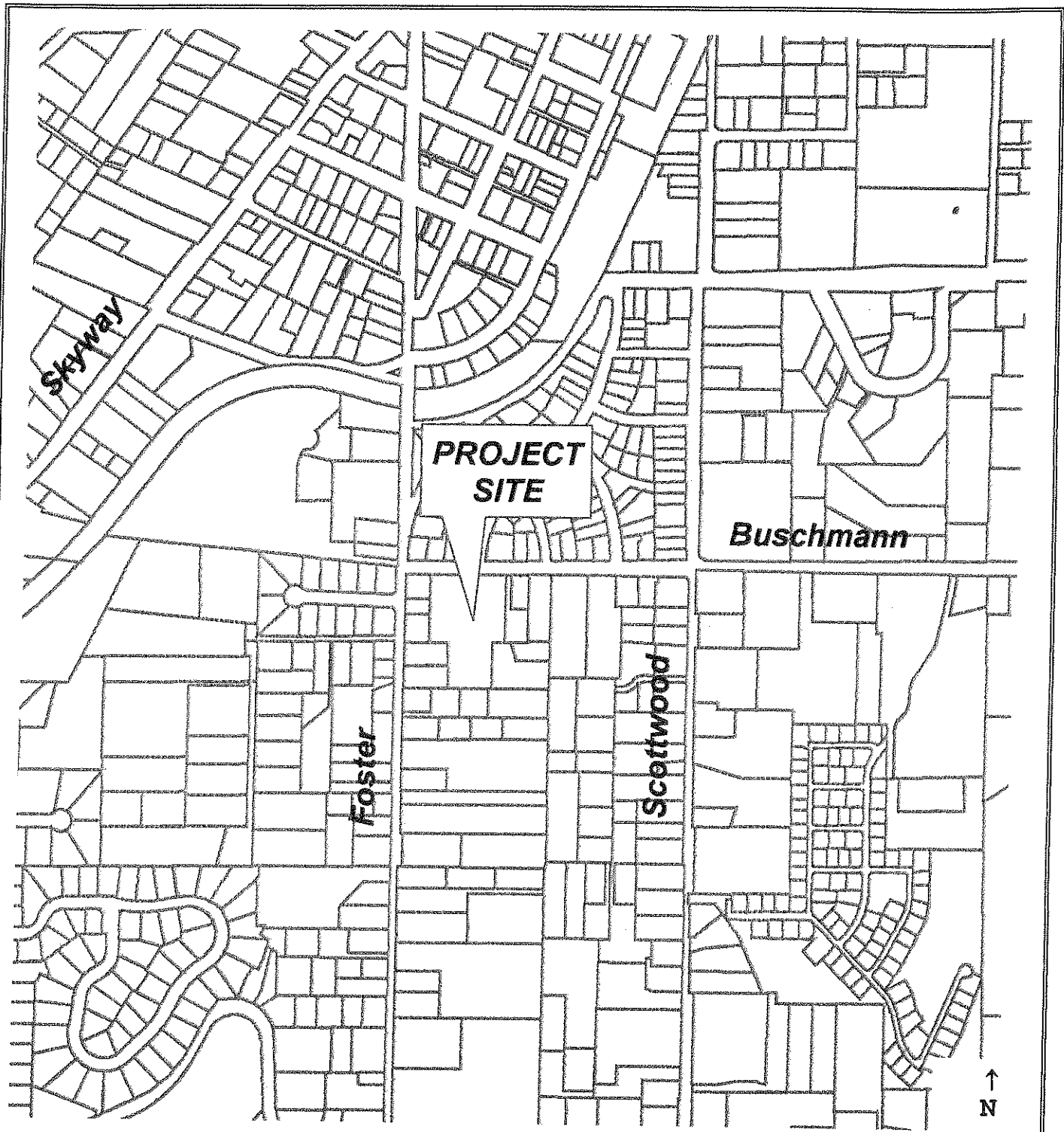
OTHERS

21. Provide written documentation verifying payment of current property taxes and payment of any assessment liens imposed by the Town.
22. Provide monumentation as required by the Town Engineer in accordance with accepted town standards.

23. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon area-wide recreation facilities. Provide evidence of payment to the Town Community Development Department planning division.
24. The following notes shall appear upon the final parcel map information sheet:
 - a. “At the time of building permit issuance, owner will be required to pay any Town of Paradise adopted development impact fees.”
 - b. “If any archaeological resources are uncovered during the course of future development or construction activities, all work shall stop in the area of the find until a qualified archaeologist provides an appropriate evaluation of the discovery.”

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

1. Project vicinity map.
2. Notice sent to surrounding property owners for the public hearing regarding the Visinoni project.
3. Mailing list of property owners notified of the public hearing regarding the Visinoni project.
4. Email regarding the Visinoni parcel map from Town Engineer Dennis Schmidt, dated May 19, 2011
5. Letter dated May 23, 2011 from P.I.D. representative Neil Essila.
6. Residential Fire Department Condition Letter and memorandum for the Visinoni project from Fire Marshal Tony Lindsey, both dated June 1, 2011
7. Memorandum from Assistant Onsite Official Bob Larson dated August 24, 2011 indicating compliance with the town's sewage disposal regulations.
8. Email regarding the Visinoni parcel map from Town Engineer Dennis Schmidt, dated September 11, 2011.
9. Initial study (environmental review document) and proposed negative declaration developed by staff for the Visinoni project.
10. Parcel map submitted by L&L Surveying on behalf of Visinoni Bros. on October 11, 2011.



PROJECT SITE

Buschmann

Foster

Scotwood



APPLICANT: Tony & Dino Visinoni		ADDRESS: 678 Buschmann Rd
OWNER: Tony & Dino Visinoni		
PROJECT DESCRIPTION: Parcel Map application proposing to divide an existing +3.3 acre property zoned RR-2/3 [Rural Residential 2/3 ac minimum] into four parcels of record for residential use.		
Zoning: RR 2/3	GENERAL PLAN:RR	FILE NO. PL11-00156
ASSESSOR PARCEL NO. 052-360-007	MEETING DATE:Jan. 17, 2012	

TOWN OF PARADISE

Date: January 3, 2012

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

NOTICE IS HEREBY GIVEN by the Planning Director that a public hearing will be held on Tuesday, January 17, 2012 at 6:00 p.m. in the Town Hall Council Chambers, Room 8, 5555 Skyway, Paradise, California, regarding the following project:

- Project title:** **Visinoni Parcel Map Application (PL11-00156)**
- Project location:** 678 Buschmann Road, Paradise; Assessor Parcel No. 052-360-007
- Description of project:** The project proponent is requesting Town of Paradise approval of a parcel map application to divide an existing +/-3.3 acre property into four parcels of record for single-family residential use.
- Address where document may be reviewed:** Town of Paradise
Development Services Department
5555 Skyway, Paradise, CA 95969
- Public review period:** *Begins:* December 29, 2011; 8:00 a.m.
Ends: January 17, 2012; 5:00 p.m.

The environmental document and project file are available for public inspection at the Development Services Department in Paradise Town Hall. Any person wishing to respond to the proposed environmental document may file written responses no later than **January 17, 2012, at 5:00 p.m.** with the Paradise Development Services Department.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6993.

CRAIG BAKER
Planning Director

Schmidt, Dennis

From: Schmidt, Dennis
Sent: Thursday, May 19, 2011 3:57 PM
To: Eurotas, Kari; Hartman, Susan; Baker, Craig
Cc: Lindsey, Anthony
Subject: RE: Visinoni Tentative Parcel Map, Drainage Review, APN 052-360-007
Attachments: Visinoni Tent Pcl Map, Buschmann Road Drainage.doc

Please find attached comments relative to the drainage analysis for this project.

With respect to the tentative map, I feel that the parcel design is less than desirable. Constructing the roadway through what is essentially a riparian area will not only be very costly, but will also be much more disruptive to the local "environment".

I would encourage the applicant to redesign, pushing the roadway further to the east, to align with Sierra Park Drive. They could then swing the roadway to the west if they want to take advantage of the better sewage disposal area on the east side of the lots.

Parcels "3 and 4" should have a storm water mitigation requirement, as there drainage run-off will cross property lines, headed to the west.

Standard conditions apply, covenant agreement for Buschmann Road, 30 feet right of way dedication for Buschmann Road, 20 foot storm drainage easement offered for dedication, etc.

Dennis J. Schmidt

Public Works Director/Town Engineer

(530) 872-6298 Direct Line

5555 Skyway

Paradise, CA 95969

www.townofparadise.com

dschmidt@townofparadise.com



PARADISE IRRIGATION DISTRICT

6332 Clark Road · Paradise, California 95969-4146 · 530.877.4971 · Fax 530.876.0483

May 23, 2011

Town of Paradise
Attention: Kari Eurotas
5555 Skyway
Paradise, CA 95969

SUBJECT: Visinoni Tentative Parcel Map Application, PL-11-001556, Buschmann Road, APN 052-360-007.

Dear Kari:

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

1. A ¾-inch water meter currently serves this property. After this 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. Static pressure at the project location is approximately 75 psi.
3. A 16-inch water main is located in Buschmann Road. Hydrant flows in the project vicinity appear to be good.
4. Paradise Fire Department may require the installation of a fire hydrant to serve parcels created by the proposed map. If the fire hydrant is installed on Buschmann Road this work will be done by PID forces on a work order basis. The applicant shall pay the cost for hydrant installation.
5. If a fire hydrant is required at a location that is not on Buschmann Road a water main extension will be required to provide water to the fire hydrant. Meter services for each of the parcels created must also be installed as part of the water main extension project.
6. Main line extensions must be constructed to District standards, at the owner's expense, and must be approved by the District Board of Directors.
7. If a pumped septic system is required on any parcel, a backflow prevention assembly will be required at the water meter. Installation, maintenance and testing of backflow prevention assemblies are the responsibility of the water customer.

Please contact me at 877-4971 if you have any questions or comments regarding this matter.

Sincerely,

Neil J. Essila,
Assistant Engineer

Cc: Tony & Dino Visinoni
L & L Surveying

MEMORANDUM

TO: Susan Hartman, Assistant Planner

FROM: Tony Lindsey Building Official/Fire Marshal

SUBJECT: 678 Buschmann Road, APN 052-360-007

DATE: June 1, 2011

Following are my comments relative to the proposed project.

- Building permit application and plan review submittal packages will be required to comply with the Triennial Edition of the California Code of Regulations, Title 24 (California Building Standards Code) which applies to all occupancies.
- In order to ensure compliance within the Wildland-Urban Interface Fire Area the following items must be submitted for plan review prior to approval indicating compliance with Materials and Construction Methods for Exterior Wildfire Exposure Requirements.
 1. Manufacturer specifications for:
 - A. Exterior wall siding
 - B. Attic and under floor vents
 - C. Decking, floors and under floor protection materials
 - D. Exterior door and windows
- All flammable vegetation shall be removed from each building site. Fuel reduction area shall be cleared between a vacant parcel and adjoining property where ever the vacant parcel abuts the structure on an adjoining property and that structure is within fifty (50) feet of the fire hazard. The owner of the vacant parcel shall provide a clearing of sufficient width so that the total fire break width is a minimum of one hundred (100) feet bordering the property line that abuts the structure.



TOWN OF PARADISE
COMMUNITY SAFETY SERVICES DIVISION
5555 SKYWAY, PARADISE, CALIFORNIA 95969
(530) 872-6268

**RESIDENTIAL
FIRE DEPARTMENT CONDITION LETTER**

PERMIT #: _____

APPLICANT: Tony & Dino Visinoni
678 Buschmann Road
APN 052-360-007

REVIEW DATE: 6/01/11
 - APPROVED AS SUBMITTED
 - APPROVED W/ CONDITIONS
 - NOT APPROVED -
RESUBMITTAL REQUIRED

The following conditions have been applied to the above-referenced project pursuant to Town of Paradise Municipal Code, the California Fire Code and applicable standards. Conditions must be complied with as directed by the Town of Paradise Fire Department and shall be inspected, tested and approved in accordance with the requirements set forth.

FIRE DEPARTMENT ACCESS

REQ NR N/A

- X Private residential, public residential, commercial and industrial fire access roads shall provide an access roadway with a minimum unobstructed width of 20 feet wide and a minimum 13'6" vertical clearance. Additional width requirements may be applied to individual projects as determined by the Fire Marshal.

- X Roadways shall be extended to within one hundred and fifty (150) feet of all portions of the exterior walls as measured by an approved path of travel. An approved turn around shall be provided when the roadway exceeds one hundred and fifty (150) feet as directed by the Town of Paradise Fire Department. Fire Department turn around requirements shall be installed as directed. See attached turn around requirements.

REQ NR N/A

- X All fire apparatus access roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions. A soils report of the access roadway may be submitted which provides evidence of a 90-95% compaction of the soil along the access roadway. Access roadways that do not meet this requirement could be subject to a stop construction order until the roadway can be maintained.
- X The development and each phase thereof shall have a minimum of 2-points of vehicular access for fire and emergency equipment and for routes of safe egress of citizens regardless of the cul-de-sac length and shall be required as directed by the Town of Paradise Fire Department.
- X 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.
- X Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Town of Paradise Fire Department requirements and have specific plans and permits approved prior to installation. Gates serving multi-family, assembly, educational, hazardous, institutional, or storage structures must be automatic. Knox brand key-operated electric key switch to the Town of Paradise Fire Department and Police Department specification are required. The Knox switch shall override all gate functions and open the gate.

FIRE PROTECTION SYSTEMS:

- X The required fire flow shall be 1000 gpm for a 2 hour duration at 20 PSI residual operating pressure. Documentation is required from the Water Purveyor verifying that the system is capable of meeting the required fire flow prior to building permit issuance. If the system is not capable of meeting the required fire flow, documentation shall be provided showing financial arrangements have been made and water system improvement plans approved to upgrade the existing system prior to release of building permits.
- X Water improvement plans shall be approved by the Town of Paradise Fire Department. The Developer shall furnish the Town of Paradise Fire Department with three (3) copies of the water improvement plans designed by a Registered Engineer and/or Licensed Contractor. On-site private fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes may be required to meet required fire flow requirements.
- X The existing fire hydrant system is insufficient to provide the required fire flow. This system is required to be upgraded to meet the required fire flow as identified above.

REQ NR N/A

- X Prior to combustibles being brought to the site, the developer shall provide written certification from the Water Purveyor, dated within the last thirty (30) days, that:
 - A. All public fire hydrants required of the project have been installed, tested, and approved by the Water Purveyor, and
 - B. Are permanently connected to the public water main system, and
 - C. Are capable of supplying the required fire flow as required by the Town of Paradise Fire Department.
- X Fire hydrants shall be painted per the Town of Paradise Fire Department standards and be maintained free of obstructions. Blue reflective raised pavement markers shall be installed on the pavement at approved locations marking each fire hydrant.
- X Public and private water utility mains must provide the level of reliability/redundancy determined necessary by the Town of Paradise Fire Department and the Water Purveyor Engineer.
- X Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-D Standard for Automatic Fire Sprinkler Systems-Single Family Dwelling. Three (3) sets of plans, hydraulic calculations, and material specification's sheets for all equipment used in the system shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.
- X Prior to Fire Department clearance for occupancy, an automatic fire sprinkler system shall be installed. The system shall comply with NFPA #13-R Standard for Automatic Fire Sprinkler Systems-Multi-Family Dwellings. Three (3) sets of plans, hydraulic calculations, and material used in the system shall be submitted by a State of California Licensed Contractor for review, approval, and permits issued prior to commencing work.

STANDARD FIRE CONDITIONS:

- X Permanent residential three-dimensional street numbers, minimum four (4) inches in height, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
- X Buildings on easement shall have additional street number signs at the intersections of the easement and the roadway, and at additional locations required by the Town of Paradise Fire Department.

REQ NR N/A

- X Street signs meeting the requirements of the Town standards shall be installed at all intersections prior to final occupancy approval. Temporary street signs shall be installed on 4x4x8 posts painted white with black letters at each intersection prior to combustibles being brought to the site for construction.
- X All flammable vegetation shall be removed from each building site with slopes less than fifteen percent (15%) at a minimum distance of one hundred (100) feet from all structures or to the property line, whichever is less.
- X A fuel modification plan is required. An approved Fire Protection Consultant that specializes in these types of complex plans shall prepare the plan. Plans shall be submitted, reviewed and approved by the Town of Paradise Fire Department prior to issuance of building construction permits.

FIRE PROTECTION FEES:

- X In order to ensure that the project complies with the California Building Code Chapter 7-A a product submittal for the following items must be submitted for review prior to plan approval indicating compliance with the California Building Code Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure Requirements:
 1. Manufacturer specifications for:
 - A. Exterior wall siding
 - B. Attic and under floor vents
 - C. Decking, floors and under floor protection materials
 - D. Exterior doors and windows
 2. Prior to combustible construction the lot must meet the requirements of defensible space pursuant to the Public Resources Code 4291. An inspection will occur prior to foundation approval to ensure that these requirements have been met.

PROJECT SPECIFIC FIRE CONDITIONS:

MEMORANDUM

August 24, 2011

To: Dennis Schmidt, Public works director/town engineer
From: Bob Larson, Assistant Onsite Sanitary Official *BL*
RE: Visinoni ~~Final~~ Parcel Map AP# 052-360-007

Please be advised that prior to final map recordation, the following requirements must be met:

1. Abandon existing water well on proposed parcel #1
2. Secure an onsite alteration upgrade permit to relocate the absorption field which crosses the property line between proposed parcel 1 and parcel 2. This will require the applicant to install a 1500 gallon tank and 200' of 18" total rock to accommodate a three (3) bedroom dwelling.

Once the above conditions are corrected, the map will meet the requirements of the Town of Paradise Onsite Wastewater Management Zone.

Hartman, Susan

From: Schmidt, Dennis
Sent: Wednesday, September 07, 2011 2:31 PM
To: Lorraine Lundy
Cc: Hartman, Susan; Baker, Craig
Subject: RE: Visinoni-Buschmann

Drainage looks reasonable – I did not do a real thorough review, but we could probably call it “conceptually approved”. We will need you to submit fees for the final drainage review, prior to map and roadway improvements approval.

I was not really wild about the map design, the multiple parcel owners on the convergence of the lots near the west side looks cumbersome at best... A good way to look at this is to envision that every property owner puts up a fence on their property west of the roadway.... What would that look like???

Dennis J. Schmidt

Public Works Director/Town Engineer

(530) 872-6298 Direct Line

5555 Skyway

Paradise, CA 95969

www.townofparadise.com

dschmidt@townofparadise.com

From: Lorraine Lundy [<mailto:llsurvey@sbcglobal.net>]
Sent: Wednesday, September 07, 2011 11:16 AM
To: Schmidt, Dennis
Subject: Visinoni-Buschmann

Dennis,
Have you completed the drainage review on the project?
Lorrie

Lorraine Lundy, LS 6689

L & L Surveying

1007 Bille Rd.

PO Box 671

Paradise, Ca. 95967

(530) 877-4300

(530) 877-2251 fax

llsurvey@sbcglobal.net

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

1. Description of Project:

Parcel map application (PL11-00156) proposing to divide an existing ± 3.3 acre property into four parcels of record planned for medium density, single family residential land use.

2. Name and Address of Project Applicant

Visinoni Bros.
5515 Clark Road
Paradise, CA 95969

3. The Initial Study for this Project was prepared on: December 29, 2011

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 January 17, 2012 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.

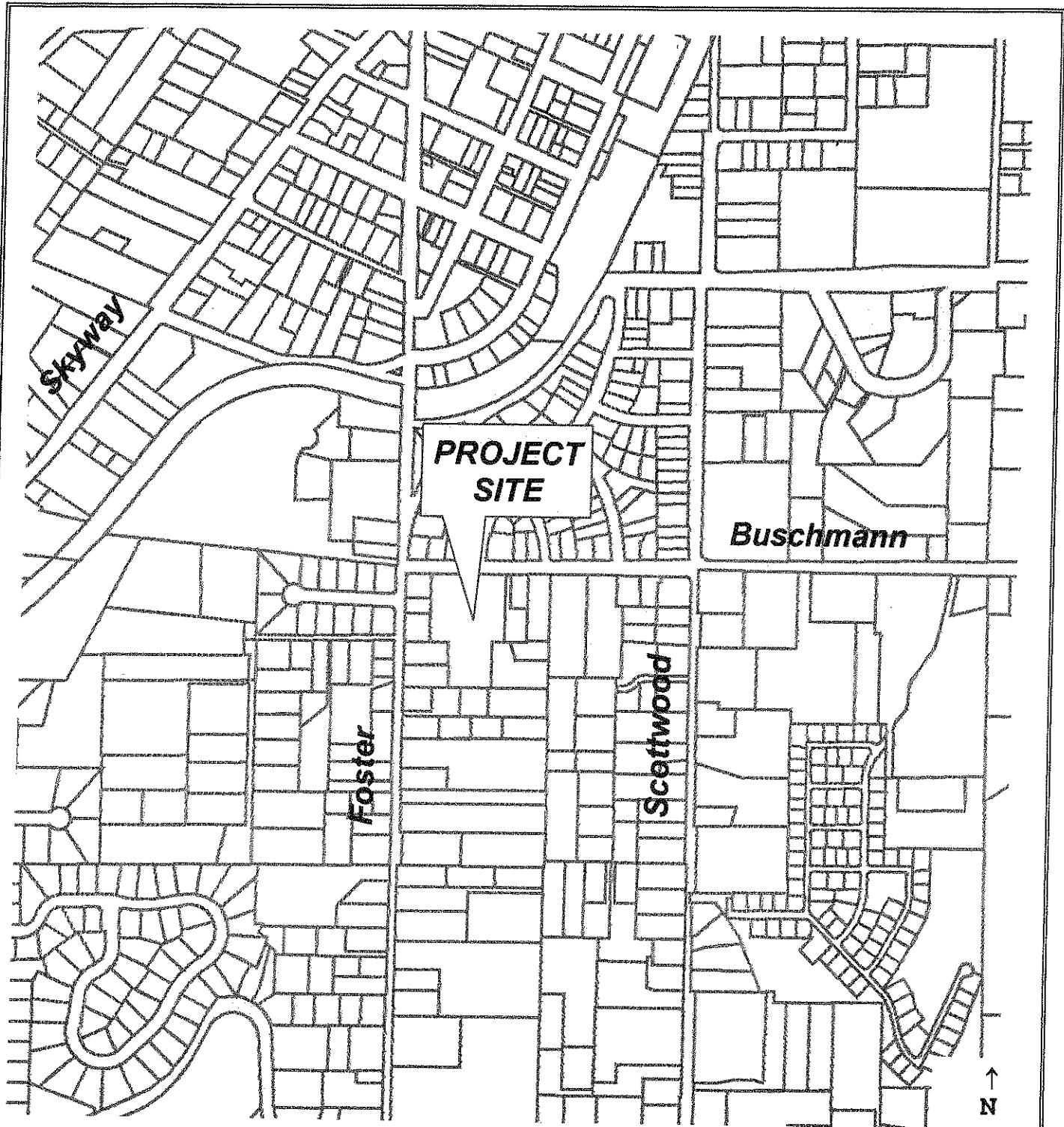
7. If no protest is lodged, the negative declaration may be formally adopted at the conclusion of the review period. Any negative declaration subject to state clearinghouse review shall not be formally adopted until such review has been completed.

By: 

Craig Baker, Planning Director

Date: 12/29/11

**INITIAL STUDY
FOR
PARCEL MAP (PL11-00156) APPLICATION
FOR
VISINONI BROS.**



APPLICANT: Tony & Dino Visinoni

ADDRESS: 678 Buschmann Rd

OWNER: Tony & Dino Visinoni

PROJECT DESCRIPTION:

Parcel Map application proposing to divide an existing ± 3.3 acre property zoned RR-2/3 [Rural Residential 2/3 ac minimum] into four parcels of record for residential use.

Zoning: RR 2/3

GENERAL PLAN: RR

FILE NO. PL11-00156

ASSESSOR PARCEL NO. 052-360-007

MEETING DATE: Jan. 17, 2012

**PROJECT DESCRIPTION
AND
ENVIRONMENTAL SETTING**

**Visinoni Bros. Parcel Map Application
PL11-00156**

PROJECT DESCRIPTION

The project proponent is seeking Town of Paradise approval for a parcel map application to divide an existing ± 3.3 acre property into four new parcels of record. The project site is zoned Rural Residential – 2/3 acre minimum (RR-2/3).

ENVIRONMENTAL SETTING

Location

The project site is located in the southwest portion of the Paradise community on the south side of Buschmann Road. The site is identified as Assessor Parcel Number 052-360-007 and is situated within a portion of Section 22, T22N, R3E, MDB&M.

Land Use

The property is currently improved with a single family dwelling and a somewhat smaller accessory storage structure, both of which are located upon what is proposed to become Parcel 1. Proposed future use of the resultant parcels is single-family residential. Surrounding land use is characterized by medium-density single-family residential land uses.

Topography, Soils and Vegetation

The property is situated at an approximate elevation of 1,620 feet above sea level. The site is gently sloped and drains to the west into a small onsite seasonal drainage adjacent to the west site boundary. Soil on most of the site is classified as Aiken Deep (AD). AD soil generally exceeds four feet in depth and is considered to be excellent for wastewater treatment. Soils found within a small portion of the site adjacent to the onsite seasonal drainage are unnamed and are commonly referred to as "TW-MA" soils.

TW-MA soils are associated with a water table that is within five feet of the soil surface. Wastewater disposal can be difficult and expensive in TW-MA soils. Vegetation on the site is characterized by an open stand of mature oak and pine trees, open grassy areas and several remnant orchard trees.

Public Services

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

Access:	Buschmann Road (public street)
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 Visinoni parcel map project entails the creation of four parcels designed for single-family residential land use. The proposed parcels would be created from an existing, ± 3.3 acre parcel of record that is currently improved with a single family dwelling. The gross parcel sizes proposed for each parcel are 1.5 acres (Parcel 1) and 0.67 acres (Parcels 2, 3 and 4).

As designed, Parcel No. 1 would have ± 334 lineal feet of public road frontage along Buschmann Road. Access for Parcel Nos. 2, 3 and 4 would be provided via the establishment of a private road easement connecting to Buschmann Road over portions of all four proposed parcels. 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 turn around facility at its southern terminus.

Development of road access and drainage improvements will not result in the felling and removal of any qualifying trees.

TOWN OF PARADISE

ENVIRONMENTAL CHECKLIST FORM

I. BACKGROUND

- | | |
|--|---|
| 1. Name of Proponent | Visinoni Bros. |
| 2. Address and phone number of proponent | 5515 Clark Road, Paradise, CA 95969, (530) 877-3071 |
| 3. Date of checklist | December 29, 2011 |
| 4. Zoning and general plan designation | RR-2/3, RR |
| 5. Name of proposal, if applicable | Visinoni parcel map (PL11-00156) |

II. ENVIRONMENTAL IMPACTS

Issues (and Supporting Information Sources):

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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:					

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
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>

	SOURCE NO.	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
e. Increased fire hazard in areas with flammable brush, grass or trees?	11,12			<u>X</u>	
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. Affect 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>	

	<u>SOURCE NO.</u>	<u>POTENTIALLY SIGNIFICANT IMPACT</u>	<u>POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED</u>	<u>LESS THAN SIGNIFICANT IMPACT</u>	<u>NO IMPACT</u>
c. Affect historical resources?	2, 12			<u>X</u>	
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. 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 connection 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**

**Visinoni Bros. Parcel Map Application
PL11-00156**

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 environmental effects related to the project have been determined to be less than significant. Accordingly, no mitigation measures that would ordinarily assigned to address significant adverse impacts have been identified within this initial study. The text that follows outlines a number of areas of less than significant 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 residential 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 residential building sites. Ultimately, upon full build-out and future occupancy, the new building sites would accommodate a population increase of approximately seven year-round residents. Overall land use density for the project would be approximately 1.21 dwelling units per gross acre, which matches the acceptable residential density range assigned to the ± 3.3 acre site (two dwelling units per gross acre). Furthermore, the proposed residential density is consistent with the permitted potential density under the applicable General Plan land use designation, and compatible with surrounding land uses. Therefore, impacts related to population and housing 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 significant 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. Residential 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 (driveway improved, 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 Visinoni 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 residential construction upon resultant vacant parcels. 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 Visinoni 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 Visinoni 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 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 Buschmann Road, a paved public street. As designed and submitted, this project will result in the creation of one new private road encroachment connecting to Buschmann Road. This is not deemed significant for the following reasons:
1. Separation distance requirements for private road encroachments can be met;
 2. Traffic sight distances are good in the area; and

3. The scope of the project is limited to the creation of three additional residential building sites.

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 residential building sites will significantly displace animal populations. Therefore, no significant adverse impacts to local animal populations are anticipated.

Development of the property with private road improvements for access to Parcel Nos. 2, 3 and 4 will not result in the felling and removal of any trees that qualify for a tree permit requirement pursuant to the Town's adopted tree felling regulations. Two smaller, non-qualifying trees are proposed to be removed in association with required site improvements. The project site is generally well-forested and it is not anticipated that the felling and removal of these two trees in addition to additional, perhaps qualifying trees potentially having to be removed to accommodate future residential development of the vacant parcels will have a significantly adverse environmental effect. In any case the felling and removal of qualifying trees from the site will require those trees to be replaced on a 1:1 basis with minimum 15-gallon sized trees that are of a species that is native to Northern California. Therefore, the potential environmental effects associated with future tree felling are expected to be less than significant.

- h. **Item 8 - Energy and Mineral Resources.** Due to the fact that the project is limited to the creation of three additional residential building sites, no significant loss or use of non-renewable resources is expected. In addition, any new residence 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 residential 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 residential improvements. Such impact should be short term and should not be substantially adverse provided permissible community noise levels as established by the

town's noise ordinance are not exceeded.

The project site is located on the south side of Buschmann Road. Buschmann Road is identified within the 1994 Paradise General Plan as a collector street. Pursuant to Table 3.8-1 of the General Plan, Buschmann Road is not identified as a public street that results in adjacent residences being exposed to high, traffic generated noise levels. Therefore, it does not appear necessary to assign a mitigation measure require a noise contour setback line that would preclude residential construction closer than the projected sixty decibel day-night average sound level (60 dB L_{dn}) noise contour. The existing dwelling located upon what is proposed to become Parcel 1 is approximately 85 feet from the center of Buschmann Road, which should be a sufficient distance to avoid significant noise impacts resulting from traffic noise along Buschmann Road. Therefore, impacts related to noise are expected to be less than significant and no mitigation measures appear to be necessary.

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

Fire Protection. Fire flow requirements are the responsibility of the Paradise Fire Department with cooperative actions implemented by the Paradise Irrigation District (PID) and local project developers. Comments received from Paradise Fire Department staff 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 1.17 new students will ultimately be generated by the proposed land division. 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. Since the project does not propose the establishment of a higher residential density than is permitted by current zoning for the project site, any impacts to schools created by approval of this project could not have been unforeseen by PUSD staff, no significant adverse impacts related to schools are expected and no mitigation measures appear to be warranted.

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

Sewage Disposal: The mode of sewage disposal for each proposed vacant parcel is an individual septic tank and leachfield system. Staff members of the Town of Paradise waste management division have carefully evaluated the project design along with the

environmental characteristics of the project area. Onsite division staff determined that the project, as tentatively designed, displays that compliance with the requirements of the Town of Paradise sewage disposal ordinance can be accommodated upon each proposed parcel. 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 residential 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. Thus, such impact is deemed to be insignificant and no mitigation is warranted.

n. **Item 14 - Cultural Resources.** The project site is located within an area that is identified as being sensitive for prehistoric, ethnographic, and historic cultural resources. A written report of a thorough surface examination and a detailed archaeological survey of the site was prepared and submitted to the Town of Paradise by Dr. Eric Ritter on October 12, 2011. The field survey described within this report did not 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 residential building sites creates the potential for additional Paradise citizens that will utilize existing park and recreation facilities. This additional usage will 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.

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:

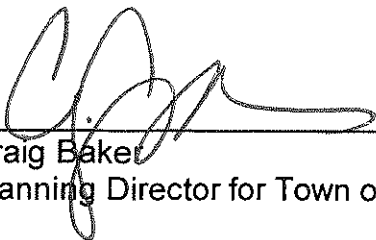
- 1. I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- 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 12/29/11

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, 1993
5. USGS topographic map: Paradise East, Calif., 1969
6. The California natural diversity database, state Department of Fish and Game, 1990
7. "Soils of Paradise and Their Ability to Treat Domestic Wastewater," Wert and Associates, 1992.
8. Town of Paradise General Plan Land Use Designation Map; October, 1994
9. Town of Paradise Zoning Ordinance (Title 17 of the Paradise Municipal Code).
10. Town of Paradise General Plan Land Use Constraints Diagram; October, 1994
11. Field Inspection of project site by planning staff, June 1, 2011
12. Archaeological/Historical survey of the Visinoni Bros. property, prepared by Dr. Eric Ritter for L & L Surveying.
13. Parcel map application materials submitted to the Town of Paradise on behalf of Visinoni Bros. on May 18, 2011 and October 11, 2011.

Initial Study
Prepared by:



Craig Baker
Planning Director for Town of Paradise

MEMORANDUM

TO: Paradise Planning Commission **AGENDA NO. 6(a)**

FROM: Craig Baker, Community Development Director

SUBJECT: Review and Discussion Regarding Possible Changes to the current Planning Commission Procedural Rules for the Conduct of Planning Commission Meetings

DATE: January 11, 2012

BACKGROUND:

All Planning Commission meetings are required to be conducted in accordance with the current Procedural Rules for the Conduct of Planning Commission Meetings, established via adoption of Planning Commission Resolution No. 96-001 on February 12, 1996.

During their regularly-scheduled meeting of October 18, 2011, the Planning Commission concurred to direct staff to agendize a discussion of the current procedural rules of conduct for the next Planning Commission meeting to consider whether to revise and/or update the procedural rules via adoption of a new resolution document that would rescind Resolution No. 96-001 and establish a revised set of procedural rules. Accordingly, staff has placed this item on the Planning Commission agenda as directed.

REQUESTED ACTIONS:

1. Please review the attached copy of the current procedural rules of conduct and be prepared to discuss any possible revisions with other Planning Commissioners, members of the attending public and staff.
2. If it is determined by a majority consensus of the Planning Commission that any revisions to the procedural rules is desirable, direct staff to return with a resolution document that would rescind Resolution No. 96-001 and implement the desired revisions to the procedural rules of conduct during the next regularly-scheduled Planning Commission meeting.

If a new resolution document is adopted by the Planning Commission, any revisions to the procedural rules of conduct would become effective immediately.

TOWN OF PARADISE

RESOLUTION NO. 96-001

RESOLUTION OF THE PLANNING COMMISSION
OF THE TOWN OF PARADISE
RESCINDING RESOLUTION NO. 90-2 AND ADOPTING UPDATED AND
AMENDED PROCEDURAL RULES FOR THE CONDUCT OF
PLANNING COMMISSION MEETINGS

WHEREAS, the Paradise Planning Commission of the Town of Paradise adopted Resolution 90-2 on March 12, 1990, and with its adoption thereby prescribed and established procedural rules for the conduct of Planning Commission meetings; and

WHEREAS, the Planning Commission of the Town of Paradise has determined that the public interest is best served if the established procedural rules of conduct of Planning Commission meetings are occasionally reviewed and updated by formal amendment in order to aptly serve the current needs of the Paradise community.

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1. Planning Commission Resolution No. 90-2 is hereby rescinded.

SECTION 2. The Planning Commission of the Town of Paradise hereby adopts the following procedural rules for the conduct of its meetings:

A. QUORUM. Three (3) members of the Planning Commission shall constitute a quorum for the transaction of business. Motions may be passed by a majority of members present and voting. When no quorum exists, any member of the Planning Commission may adjourn the meeting to the next regularly scheduled meeting or to a date specified by the majority of those present. The Secretary of the Planning Commission may adjourn as specified above if no Commissioner is present.

B. PUBLIC MEETINGS. All meetings shall be held in full compliance with the provision of state law, applicable provisions of the Paradise Municipal Code, and these procedural rules. All regular and special meetings as well as study sessions of the Commission shall be open to the public. Whenever a regular scheduled Commission meeting falls on a public holiday honored by the Town of Paradise, no regular meeting shall be held on that day. Such regular meetings may be rescheduled to another business day or canceled by motion adopted by the Planning Commission or administratively by the Planning Director.

RESOLUTION NO. 96-001

RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARADISE
RESCINDING RESOLUTION NO. 90-2 AND ADOPTING UPDATED AND AMENDED
PROCEDURAL RULES FOR THE CONDUCT OF PLANNING COMMISSION MEETINGS

- c. In the absence of the Chair and Vice-Chair, any other member shall call the Commission to order, whereupon a chair shall be elected from the members present to preside.

2. Responsibilities

The responsibilities and powers of the officers of the Planning Commission shall be as follows:

a. Chair

- (1) Preside at all meetings of the Commission.
- (2) Call special meetings of the Commission in accordance with legal requirements and the Rules of Procedure.
- (3) Sign documents of the Commission.
- (4) See that all actions of the Commission are properly taken.
- (5) Assist staff in determining agenda items.

b. Vice-Chair

During the absence, disability or disqualification of the Chair, the Vice-Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

F. ADJOURNED/SPECIAL MEETINGS. In the event it is the wish of the Planning Commission to adjourn its meeting to a certain hour on another day, a specific date, time and place must be set by the Commission prior to the regular motion to adjourn. Special meetings of the Planning Commission may be held at any time upon the call of the Chair or by a majority of the voting members of the Commission or upon request of the Town Council following at least twenty-four (24) hours notice to each Commission member and to the press. The time and place of the

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J. PUBLIC COMMUNICATION. No person shall be entitled to speak to the Commission at a public meeting who has not been recognized by the Chair. Unless allowed by the Chair, no person shall speak for more than five (5) minutes on one item of business.

The purpose of public communication is to provide information to the Commission which it may not have. The right to speak before the Commission shall be limited to the public communication portion of public hearings and to any time the Chair will allow such communication.

The Chair may bar from further speaking at that meeting anyone who:

1. Makes any personal, impertinent, or defamatory remarks;
2. Becomes boisterous or disruptive;
3. Speaks without being recognized by the Chair;
4. Violates any rules of order established by this resolution or by the Commission.

The ruling of the Chair to bar any member of the public from speaking further at that meeting shall be final and conclusive, subject only to the right of appeal by any Commissioner to the entire Commission.

Any person who engages in disorderly conduct, such as hand clapping, stamping of feet, whistling, using profane language, yelling, or similar demonstration which disturbs the peace and good order of the meeting, shall, at the request of the Chair, or a majority of the Commission, be removed from the Commission Chambers.

K. ADDRESSING THE COMMISSION. Interested parties or their representatives may write to the Planning Commission regarding any matter that is under the jurisdiction of the Commission.

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personal privilege may interrupt another Commission member who has the floor only if the Chair allows such interruption.

A Commission member moving the adoption of a resolution or motion shall have the privilege of closing debate, subject to a majority of the Commission voting that the debate should be continued. If a matter contains two or more propositions, any Commission member may ask to address and rule on the propositions separately. A majority vote of the Commission is necessary to so separate propositions.

N. VOTING. The passage of every motion shall be by voice vote or roll call vote and entered in the record. Any member of the Commission may demand a roll call vote on any matter before the Commission prior to a vote on the motion. Any Commission member may explain his/her vote during a roll call vote.

Commissioners shall vote in the affirmative by saying "aye" or "yes," and in the negative by saying "nay" or "no." Commission members shall state their vote when asked by the Chair or by the Commission Secretary during roll call vote. All votes of the Commission shall be recorded in the minutes of the meeting in which the voting took place.

Every member shall vote on the question before the Commission, unless he/she abstains for cause. An abstention vote shall be considered "not a vote."

1. Change of Vote. After voting is completed, but before the result of the vote is announced, any member of the Commission may change his/her vote. No Commission member may change his/her vote after the vote has been announced by the Chair unless a majority of the Commission grants consent.

2. Tie Vote. A tie vote shall be considered as defeating the motion.

3. Failure of an Item to Pass. A majority vote of the Commission against a motion or tie vote shall defeat the motion

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P. RULES OF DEBATE.

1. All Commission members may debate, state motions, second motions, and vote.
2. Except as provided within this resolution, or provided by law, Robert's Rules of Order, Newly Revised, shall govern the conduct of regular meetings of the Commission and all special meetings unless otherwise announced at the beginning of the special meeting.
3. Procedures at a regular or special meeting may vary from Robert's Rules of Order unless a Commission member objects during the time the matter is before the Commission.
4. The Chair may allow by a majority consent of the Commission, a member of the Commission to introduce a resolution, motion, or other matter which is not in the regular agenda order. Any Commission member may introduce a matter which is in the regular agenda order.

Q. PUBLIC HEARING - OPENING. The Chair or his/her designee shall announce the beginning of a public hearing and shall request from staff any information pertinent to the public hearing. After any presentation by staff and any questioning by the Commission of staff, the Chair shall open the public hearing. If the hearing is opened to the public, 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.

R. PUBLIC HEARING - EVIDENCE RECEIVED. During the public hearing, the Commission shall receive all oral and written evidence relative to the matter being considered. Written evidence presented shall become the property of the Town of Paradise for one year after the public hearing, at which time it shall be disposed of or retained at the discretion of the Planning Director.

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PASSED AND ADOPTED by the Planning Commission of the Town of Paradise this
12th day of February, 1996, by the following vote:

AYES: Commissioners Hall, Higginbotham, Shane, Titus and
Chairman Duncan

NOES: None.


ABSENT: None.

NOT VOTING: None.



Larry R. Duncan, Chairman

ATTEST:



Suzanne Whalen, Secretary