

PARADISE PLANNING COMMISSION
January 8, 2007 - 6:00 p.m.
Paradise Town Council Chambers
5555 Skyway, Paradise, CA

M I N U T E S

CALL TO ORDER

Chairman Thomson called the meeting to order at 6:03 p.m.

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

ROLL CALL

Present at roll call were Commissioners DiDuca, Griffin, Mannel, Woodhouse and Chairman Thomson. Community Development Director Al McGreehan and Asst. Community Development Director Craig Baker were also present.

1. APPROVAL OF MINUTES – December 4, 2006

On motion of Commissioner Mannel, seconded by Commissioner Woodhouse, and unanimously carried the minutes of the December 4, 2006 Planning Commission meeting were approved as submitted by staff.

2. COMMUNICATION

a. Recent Council Actions

Al McGreehan reported on recent Town Council actions during its meeting conducted on December 12, 2006. The next Town Council meeting is scheduled for January 9, 2007.

b. Staff Comments – None.

3. PUBLIC COMMUNICATION - None.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

a. Item proposed to be determined categorically exempt from environmental review

BRAUN Tentative Parcel Map (PM-06-2) Application proposing to divide a ±2 acre parcel into two parcels of record on property located at 5913 Kibler Road, Paradise, AP No. 053-180-163.

Asst. Community Development Director Craig Baker reviewed the project application for which staff is recommending conditional approval.

The hearing was opened to the public. Appearing:

1. Lorrie Lundy, L & L Surveying, representing Applicant. Ms. Lundy requested that the phrase “(chip seal) “ be deleted from the text of proposed condition No. 2a, because it is not a Town requirement for this proposed project.

Mr. Baker acknowledged this error in the staff report.

2. Neil Risley, 5893 Kibler Road. Mr. Risley discussed his concern that the subject property is located close (20 to 25 feet) to an existing well on his property, and the installation of leach fields may become a health hazard. In addition, Mr. Risley requested that the Town require grading of the subject property and subsequent drainage control to prevent surface drainage flooding of his carport as has previously occurred. Mr. Risley distributed pictures of past drainage problems on his property.

Mr. Baker acknowledged that town staff was not aware of the existence of a well on Mr. Risley’s property. The well was not indicated on the project map. A proposed condition to address the existence of the well was recommended by town staff. Mr. Baker added that staff was not aware of the extent of the drainage problem that has occurred on the subject property.

3. Lorrie Lundy. Ms. Lundy stated that she was not aware of the well on Mr. Risley’s property. She represents Mr. Risley in a similar map application, and the well is not shown on that map either.

Chairman Thomson closed the hearing to the public.

After a brief discussion, it was moved by Commissioner DiDuca, seconded by Commissioner Griffin and unanimously carried to adopt the following findings and **to approve** the Braun tentative parcel map (PM-06-2) application subject to the conditions listed below:

FINDINGS

- a. Find that the proposed project, **as conditioned**, is categorically exempt from environmental review under the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15332 (Class 32) of the CEQA Guidelines.
- 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 has been developed for residential use in the past and is located within an area that has been significantly altered by residential development.
 2. No known outstanding wildlife habitat exists in the immediate project vicinity; and
 3. The site is small (+/-2.0 acres).

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

ROADS AND ACCESS

1. Deed thirty (30) feet from the center of the Kibler Road project property frontage to the Town of Paradise or provide a recorded deed document showing that this requirement has been met.
2. The following notes shall appear upon the final map information data sheet:
 - a. “Prior to the issuance of a building permit authorizing residential development upon Parcel No. 2, the project developer shall obtain an approved encroachment permit from the Town of Paradise and construct a full width private driveway access for Parcel No. 2 connecting to Kibler Road to the Town adopted A-1 road standard including a town approved turn around facility.”
 - b. “Prior to the issuance of a building permit authorizing residential development upon Parcel No. 2, the project developer shall obtain an approved encroachment permit from the Town of Paradise and trim and remove vegetation from within the Kibler Road right-of-way in a manner deemed acceptable to the Town Engineer to improve traffic sight distances for driveways serving parcel Nos. 1 and 2.”
 - c. “If more than 50 cubic yards of material is displaced in association with required driveway improvements for Parcel No. 2, 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 U.B.C. Pay applicable grading permit fees per current fee schedule.”
 - d. “Prior to the start of any grading operations that displace fifty cubic yards or more of material and are associated with required driveway improvements for Parcel No. 2, the project developer shall submit an Erosion Control Plan to the Town Public Works Engineering Division for approval by the Town Engineer. Show all erosion control devices and sedimentation basins required by the PMC 15.04.280.”

3. Construct or defer by covenant executed with the Town of Paradise a one-half street section upgrade improvement along the project site frontage of Kibler Road to the town-adopted B-2 road standard.
4. All easements of record shall be shown on the final parcel map.
5. Indicate on the final parcel map a fifty-foot building setback line measured from the centerline of Kibler Road.

DRAINAGE

6. Place the following note on the final map information data sheet: “Prior to issuance of a building permit authorizing construction on Parcel No. 2, a storm water mitigation plan shall be submitted and approved by the Town Engineer. This plan must address how the additional storm water drainage from the new impervious surfaces will be detained, rerouted, or otherwise mitigated to prevent adverse impacts to the downstream neighboring properties.”

SEWAGE DISPOSAL

7. Satisfy all requirements of the Town of Paradise Onsite Sanitary Official concerning the design of the final parcel map; including establishment of proper leachfield exclusion area around any existing on-site or nearby off-site wells.

UTILITIES

8. Meet all requirements of the Paradise Irrigation District (PID) in accordance with comments provided by PID staff for the Braun parcel map, dated June 23, 2006, on file with the town Community Development Department..
9. Meet the requirements of other utility companies regarding the establishment of necessary public utility easements.

FIRE PROTECTION

10. Place the following notes upon the final parcel map information data sheet:
 - a. “Prior to Town issuance of future residential building permit(s) for these parcels, the future owners of Parcel Nos. 1 and 2 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 project review memorandum dated June 6, 2006 for the Braun parcel map application and on file in the Town Community Development Department.”
 - b. “All future buildings constructed upon Parcel Nos. 1 and 2 shall be built of non-combustible exterior construction meeting the requirements of Chapter 5 of the Urban Wildland Interface Code and in accordance with the Paradise Fire Department

project review memorandum dated June 6, 2006 for the Braun parcel map application and on file in the Town Community Development Department.”

- c. “Prior to town issuance of future residential building permit(s) for Parcel No 2, the developer of Parcel No. 2 shall construct a turnaround facility in accordance with the requirements of the California Fire Code, the Town of Paradise adopted road standards and in a manner deemed satisfactory to the Town Fire Marshal.”
11. Meet all other requirements of the Paradise Fire Department in accordance with the Fire Department plan check review for the Braun parcel map dated June 6, 2006 and on file in the Town of Paradise Community Development Department.

OTHERS

12. Provide documentation from the office of the Butte County Tax Collector verifying payment of current property taxes and any assessment liens imposed by the town.
13. Provide monummentation as required by the Town Engineer in accordance with accepted town standards.
14. 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.
15. Place the following notes on the final parcel map information sheet:
 - a. “At the time of building permit issuance, owner of Parcel Nos. 1 and 2 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.”

ROLL CALL VOTE: AYES: Commissioners DiDuca, Griffin, Mannel, Woodhouse and Chairman Thomson.

MOTION CARRIES.

It was announced that the decision of the Planning Commission can be appealed within ten days of the decision date.

b. Item for which an Addendum to a previously Certified Environmental Impact Report [EIR] is Proposed to be Adopted

TOWN OF PARADISE: - A Town initiated amendment application to the text of the 1998 housing element of the 1994 Paradise General Plan. The proposed amendment

entails text changes in order to update and revise the Paradise Housing Element to be consistent with the “Butte County Regional Housing Needs Plan: January 1, 2001 – July 1, 2008” adopted by the Butte County Association of Governments [BCAG] on January 23, 2003; and changes to State Housing law adopted since 1998.

Al McGreehan presented the proposed and revised Housing Element of the Paradise General Plan. The California Department of Housing and Community Development (HCD) has completed their review of the proposed revised Housing Element and determined that this revised document will be in compliance with State housing element law when adopted . Staff is recommending Planning Commission adoption of the proposed General Plan Amendment to the text of the Housing Element (GA-06-2).

The Planning Commission discussed the proposed revised Housing Element. Commissioner Griffin stated the younger population as well as the elderly population are in need of affordable housing in Paradise. The Commission concurred to delete the sentence in Section 6-3, page 3 that refers to affordable housing for the elderly. Typographical text errors located upon pages 6 and 61 were also corrected.

Upon inquiry of Commissioner Griffin regarding implementation measure HI-9, Mr. McGreehan stated that the Town’s zoning requirements were changed to reduce the parking restrictions for mobile home parks and senior housing projects.

After further discussion, it was moved by Commissioner DiDuca, seconded by Commissioner Mannel and unanimously carried to:

1. Certify as complete and adopt the proposed "Town of Paradise 2006 Addendum to the Final Environmental Impact Report of the 1994 Paradise General Plan as it relates to the proposed Paradise General Plan Amendment to the text of the Housing Element (GA-06-2)" as being in compliance with the CEQA requirements; **AND**
2. Adopt Planning Commission Resolution No. 07-1, "A Resolution of the Planning Commission Recommending Town Council Adoption of an Amendment to the Text of the Housing Element of the 1994 Paradise General Plan [GA-06-2: Town of Paradise]" as amended..

ROLL CALL VOTE: AYES: Commissioners DiDuca, Griffin, Mannel, Woodhouse and Chairman Thomson. NOES: None. ABSENT: None. ABSTAIN: None.

MOTION CARRIES.

6. OTHER BUSINESS - None.

7. COMMITTEE ACTIVITIES

- a. **Status Report: Paradise Redevelopment Advisory Committee Meeting (Commissioners DiDuca and/or Griffin)** –Meeting canceled, no report.

With concurrence of the Planning Commission, an oral report concerning the Tree Permit Review Committee meeting on January 4, 2006 regarding tree removal for the Feather River Hospital expansion at Pentz Road was presented.

8. COMMISSION MEMBERS

a. Identification of future agenda items (All Commissioners/Staff) – None.

9. ADJOURNMENT

The Planning Commission concurred to adjourn the meeting at 7:35 p.m.

ATTEST:

Gordon Thomson, Chairman

Planning Secretary