

PARADISE PLANNING COMMISSION

March 15, 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 Chairman Johns at 6:02 p.m.

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

ROLL CALL

Present at roll call were Commissioners Bolin, Grossberger, Woodhouse and Chairman Johns. Community Development Director Baker was also present.

1. APPROVAL OF MINUTES

a. Regular Meeting of February 15, 2011

It was moved by Commissioner Grossberger, seconded by Commissioner Bolin and unanimously carried by those present to approve the revised minutes of the February 15, 2011 Regular Planning Commission meeting as submitted by staff.

VOTE: AYES: Commissioners Bolin, Grossberger, Woodhouse and Chairman Johns.
NOES: None. **ABSTAIN:** None. **ABSENT:** None.

MOTION CARRIES.

b. Resolution of Appreciation for Outgoing Planning Commissioner Phil Serna.

It was moved by Commissioner Grossberger, seconded by Commissioner Woodhouse to approve Paradise Planning Commission Resolution No. 11-01 Commending Phil Serna for his service to the Town of Paradise.

VOTE: AYES: Commissioners Bolin, Grossberger, Woodhouse and Chairman Johns.
NOES: None. **ABSTAIN:** None. **ABSENT:** None.

2. COMMUNICATION

Recent Council Actions - Community Development Director Baker reported on recent Town Council actions taken at the March 8, 2011 Council meeting. The Town Council requested a Planning Commissioner participate in the selection process for the newly vacated seat by Phil Serna and expiring terms of Planning Commissioners Grossberger and Johns. The Commissioners concurred that Commissioner Bolin would be their representative on the selection committee.

a. Staff Comments: None.

3. PUBLIC COMMUNICATION –None.

4. CONTINUED PUBLIC HEARING – None.

5. PUBLIC HEARING

a. Item determined to be categorically exempt from environmental review

MOONEY ANNEXATION (PL10-00250) APPLICATION requesting annexation to the Town of Paradise for a ± 5.11 acre property currently improved for residential land use located at 4780 Prospect Lane, Paradise, AP No. 055-350-025.

Community Development Director Baker reported on the application for a proposed annexation of a ± 5.11 acre property located at Wayland Road and Prospect Lane. The property is adjacent to Paradise town limits and is currently developed with a single family dwelling. The purpose of the annexation is to secure PID water and a fire hydrant to improve fire protection. No other property owners have expressed interest in being included in this proposed annexation to the Town and PID.

The Paradise General Plan assigns a land use designation of Agricultural Residential to the site and by virtue of Town Council adoption of the Prezone Plan the site is assigned an AR-3 Prezone. If the property annexation is approved by the Butte County Local Agency Formation Commission (LAFCO) the property will be zoned AR-3.

Based upon analysis by Town staff, it has been determined that the annexation application belongs within a class of projects that can be found to be exempt from environmental review.

Planning Commission Resolution No. 11-02 recommends that the Town Council approve the Mooney Annexation Application (PL10-00250) and forward to LAFCO.

Commissioner Grossberger asked about the property tax split and how that would be affected by the annexation. Mr. Baker explained that historically, the town and the county have agreed to a 56/44% tax split for individual residential property annexations and that the same could be expected for this project.

Commissioner Bolin asked if there was a sunset clause to the property tax split agreement. Mr. Baker stated that there is no sunset clause and the agreement is site specific and has to be executed for each annexation.

Commissioner Bolin asked about the water line that is being added by the annexation and PID's role in the placement of the pipe. Mr. Baker explained that the applicant has proposed to lay eight inch water line to his property. There will not be a loop, but will still be two dead end water mains serving Wayland Road. However, fire hydrant spacing would be improved for the area if the project is approved.

Commissioner Bolin asked about the annexation of surrounding properties. Mr. Baker stated that LAFCO will not annex or create an island with properties that are not annexed around the proposed property, all land must be contiguous to an existing jurisdictional boundary.

Commissioner Bolin asked about the planning commission forwarding a recommendation to the Council including other properties in the annexation that had not participated in the process. Mr. Baker stated that the Planning Commission could forward a recommendation that was expanded to include other properties, but if other properties were included that didn't participate in the process, a popular vote would have to be held and would have to pass in order for the Mooney annexation to continue. If the vote did not pass then the Mooney property would have to start the process again from the beginning.

Commissioner Johns opened the public hearing at 6:18 pm.

1. John Mazzoni, from Robertson Erickson Civil Engineers and Surveyors and representative for the Mooney project, explained where the 8" main pipe line would begin and extend for approximately 400' to the Mooney property, ending with a fire hydrant. The Mooney's felt that the water line and hydrant would provide additional protection and was worth the cost. The Mooney's are responsible for all the improvement costs which will be between \$40,000-\$50,000.

Chairman Johns closed the public hearing at 6:20 pm.

Commissioner Bolin inquired as to why PID does not service the Wayland Road area. Mr. Baker explained that there are several areas in that part of town that are underserved. The PID water pressure and flow is good, but there is a hydrant spacing issue.

Commissioner Grossberger asked if there was an MOU with the County for fire protection in that area. Mr. Baker stated that there is a mutual aid agreement affecting that area, but the Town is usually the first one on scene, so annexation of this property does not present an additional burden to Paradise police and fire.

1. It was moved by Commissioner Woodhouse, seconded by Commissioner Johns, and unanimously carried by those present to Adopt Planning Commission Resolution No. 11-02, "A Resolution of the Planning Commission Recommending Town Council Endorsement of Initiating Processing Proceedings of the Mooney Annexation Application (PL10-00250) with the Butte County Local Agency Formation Commission".

VOTE: AYES: Commissioners Bolin, Grossberger, Woodhouse and Chairman Johns. NOES: None. ABSTAIN: None. ABSENT: None

Community Development Department Director Baker announced that the Planning Commission decision may be appealed to the Town Clerks office within seven days of the date of the decisions.

OTHER BUSINESS

- a. Discuss and consider adoption of the Planning Commission Annual Report for calendar year 2010 to the Town Council regarding the present implementation status of the 1994 Paradise General Plan.

Community Development Director Baker informed the Planning Commissioners that this item is a report mandated by CA Government Code Section 65400 and is for the calendar year 2010, but the report will be dated March 2011. Implementation of the 1994 General Plan was fairly ambitious and over the last few years there have seen significant gains and implementations of the General Plan, many of which took place in 2010. Items include Town Council adoption of Town Wide Designs Standards and a Town theme, both of which the Planning Commission endorsed; Town Council adopted amendments to the zoning code including sign regulations that helped promote the General Plan; The Town now has mandatory solid waste collection, curbside recycling, and a successful household hazardous waste facility operating; and, the adoption of the 2010 Building Standards Code. As of last year the state of California adopted new regulations that require the Housing Element implementation status report to be far more detailed and of a different format than this and will be brought to the Planning Commission next month for approval.

Mr. Baker asked the Planning Commission to accept the report and forward it to the Town Council for approval as a consent item on the Town Council agenda.

1. After discussion, it was moved by Commissioner Johns, seconded by Commissioner Bolin to accept and Adopt the Planning Commission Annual Report for the calendar year 2010 and forward it to the Town Council.

VOTE: AYES: Commissioners Bolin, Grossberger, Woodhouse and Chairman Johns.
NOES: None. ABSTAIN: None. ABSENT: None.

7. COMMITTEE ACTIVITIES

a. Status Report: Paradise RDA Advisory Committee Meeting

The Planning Commissioners concurred to appoint Commissioner Grossberger to the Paradise RDA Advisory Committee.

Commissioner Grossberger informed the Commissioners and citizens that there would be a Medical Marijuana Workshop held on Thursday, March 24, 6-9 p.m. at Town Hall for public input and discussion regarding Medical Marijuana.

8. COMMISSION MEMBERS

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

Community Development Director Baker informed the Commissioners that (1) The marijuana issue regarding Ordinances would be coming to them next month to discuss and forward a recommendation to the Town Council; (2) The Housing Element Annual Report will also be brought forward to the Planning Commission for review.

9. ADJOURNMENT

The Planning Commission meeting was adjourned at 6:59 pm.


Chairman

Attest:


Planning Commission Secretary