

**PARADISE PLANNING COMMISSION**  
**October 20, 2009 - 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 Woodhouse 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 Grossberger, Johns, Serna and Chairman Woodhouse. Commissioner Bolin was absent. Community Development Director Al McGreehan and Assistant Community Development Director Craig Baker were also present.

**1. APPROVAL OF MINUTES**

**a. Regular Meeting of August 18, 2009**

It was moved by Commissioner Johns, seconded by Commissioner Serna and unanimously carried by those present to approve the minutes of the August 18, 2009 Planning Commission meeting with the correction to item 6d that Commissioner Grossberger was appointed to serve upon the Paradise Redevelopment Advisory Committee with Commissioner Johns as an alternate representative during FY 2009-10.

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

**MOTION CARRIES.**

**2. COMMUNICATION**

**a. Recent Council Actions**

Mr. McGreehan reported on recent action of the Town Council at their regular meetings of September 8, 2009 and October 13, 2009, and their special meeting of September 28, 2009.

**b. Staff Comments – State HCD Approval of Draft 2009 Town of Paradise Housing Element Update**

Mr. McGreehan reported that a legal opinion from the Town Attorney is needed that states the approved document is not a substantial departure from what was agreed upon by the Town Council and the Planning Commission at the joint meeting held in May, 2009, and then the Housing Element can be agendized for Town Council adoption.

3. **PUBLIC COMMUNICATION** –None.
4. **CONTINUED PUBLIC HEARING** – None.
5. **PUBLIC HEARING**

Item for which a mitigated negative declaration document is proposed to be adopted

**KINDIG Tentative Parcel Map (PL 09-00035) Application** proposing to divide a  $\pm$  2.69 acre property into two parcels of record located at 6714 Paragalia Way and further identified as AP No 051-120-099.

In regards to the project application, Assistant Community Development Director Baker reported that the main concern of public works and the fire department was the condition of Paragalia Way, that the mitigation measures for the road are included in the initial study, and informed the Commission that prior to the meeting, the Fire Chief agreed that a full upgrade of Paragalia Way to Wagstaff Road will not be required and that that he concurs with requirements conveyed in the initial study regarding maintenance of the road.

Chairman Woodhouse opened the public hearing at 6:18 p.m.

Lorrie Lundy stated that she represents the applicant Kristin Kindig, stated that she would like a copy of the staff report that includes the condition that was added this afternoon regarding routine maintenance on Paragalia Way, that their main issues were access from Paragalia and fire flow and discussed concern with the wording of the last sentence in proposed project condition #8: “Modifications to these requirements shall only be granted upon the provision of material evidence of approval for such modifications given by the Town of Paradise Fire Chief.”

Mr. Baker suggested adding the wording, “ ... and in accordance with the certified environmental document for the Kindig parcel map project,” to the last sentence in Condition #8 as that document is specific regarding the mitigations that are of concern to the applicant. Ms. Lundy concurred with the addition.

Ms. Lundy questioned the necessity of Condition #11 to secure the issuance of a town approved tree felling permit because no trees are going to be removed as part of this parcel map project activity and asked if that could be made a note on the map.

Mr. Baker stated that Condition #11 could be eliminated.

Chairman Woodhouse closed the public hearing at 6:37 p.m.

It was moved by Commissioner Grossberger, seconded by Commissioner Johns, and carried by those present to adopt the findings listed below and to approve the Kindig tentative parcel map (PL09-00035) application subject to the following conditions:

## **FINDINGS**

- a. Find that the proposed project, **as mitigated and conditioned**, could not have a significant effect on the environment, and adopt a mitigated negative declaration.
- b. Find that the project, **as mitigated and 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 mitigated and 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 mitigated and conditioned**, will not result in a significant adverse effect on existing plant and animal life in the project vicinity for the following reasons:
  1. The project site is located within an area that has been significantly altered by residential and agricultural development spanning several decades.
  2. No known outstanding wildlife habitat exists in the immediate project vicinity;
  3. No known rare or endangered plants exist in the immediate project vicinity; and
  4. The site is small.

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

### **ROADS AND ACCESS**

1. Submit three copies of an engineered grading, road construction and drainage improvement plan to the Engineering Division for review and approval, detailing a pro-rata share of frontage improvements along property frontages on Paragalia Way. Roadway improvements must be designed for future construction to the A-2a Road Standard, from the intersection of Kindig, northerly, to the location of the property line between Parcel No. 1 and Parcel No. 2 (approximately 175 linear feet).. Pay appropriate plan check and inspection fees. Plans must be stamped and wet-signed by a licensed civil engineer. Street grades and all design features shall comply with town ordinances, design resolution and accepted engineering standards. Road and drainage plans must be approved **PRIOR** to the construction or installation of the required facilities. **(Mitigation)**

2. Place the following notes upon the final parcel map information sheet:
  - a. “Prior to the issuance of building permits authorizing residential development of Parcel No. 2, the project developer shall construct a pro-rata share improvement to Paragalia Way, to improve the substandard access conditions. In addition to construction of the engineered design roadway and drainage pro-rata roadway upgrades to the A-2a road standard, improvements shall consist of one Fire Department approved turn-out, at a location to be approved by the Fire Department. This turn out will be 8 feet wide, 6 inches aggregate base and 2 inches asphalt concrete pavement, a minimum of 40 feet long, with a 5 foot transition on both ends (total of 50 feet in length).” **(Mitigation)**
  - b. “Prior to issuance of residential building permits authorizing development on Parcel Nos. 1 and 2, the project developer shall perform a pro-rata share of routine maintenance on the entire length of Paragalia Way (from Wagstaff Road to Kindig), to patch potholes and other surface deformities. All surface defects exceeding 1 inch in depth, measured with a 4 foot level (both raised and depressed areas) shall be patched or otherwise professionally repaired. Place a minimum of 8 tons of patching material.” **(Mitigation)**
3. All easements of record shall be shown on the final parcel map. Properly abandon any easements that conflict with the project design.
4. Indicate on the final parcel map thirty-foot building setback lines measured from the centerlines of Paragalia Way, Machuga Lane and Kindig Drive.

### **SEWAGE DISPOSAL**

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

### **SOILS EROSION/DRAINAGE**

6. Place the following notes on the final map information data sheet:
  - a. “Prior to the issuance of building permits authorizing residential development of Parcel No. 2, the developer shall submit a detailed storm water drainage mitigation plan to the Town of Paradise for review and approval by the Town Engineer.” **(Mitigation)**
  - b. “Prior to the conduct of any construction activity associated with required access upgrade improvements, the project developer shall submit a detailed soil erosion control plan to the Town of Paradise for review and approval by the Town Engineer.

## **FIRE PROTECTION**

7. Place the following notes upon the final parcel map information data sheet:
  - a. “Current and 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 March 4, 2009 for the Kindig 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 to comply with the Wild Land Urban interface requirements of the California Fire Code in accordance with the Paradise Fire Department project review memorandum dated March 4, 2009 for the Kindig parcel map application and on file in the Town Community Development Department.”
8. Meet all other requirements of the Paradise Fire Department in accordance with the project review memorandum for the Kindig project, dated March 4, 2009 and on file in the Town Community Development Department. Modifications to these requirements shall only be granted upon the provision of material evidence of approval for such modifications given by the Town of Paradise Fire Chief and in accordance with the environmental document certified for the Kindig parcel map project.

## **UTILITIES**

9. Meet all utility company requirements regarding the construction and installation of new utility facilities as well as relocation of existing utility facilities.

## **WATER SUPPLY**

10. Meet all requirements of the Paradise Irrigation District (PID) in accordance with the letter from PID staff regarding the Kindig project dated February 5, 2009 and on file in the Town Community Development Department.

## **OTHERS**

11. Place the following notes on the final map information data sheet:
  - a. “At the time of building permit issuance, parcel owners will be required to pay any Town of Paradise adopted development impact fees.”
  - b. "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." (**Mitigation**)
12. Provide documentation from the Butte County Tax Collector verifying payment of current property taxes and assessment liens imposed by the town.

13. Provide monumentation as required by the Town Engineer complying with the State Subdivision Map Act and Town of Paradise standards.
14. Pay appropriate funds to the local recreation district per requirements of the Paradise subdivision ordinance to offset impact (cumulative) upon areawide recreation facilities. Provide evidence of payment to the town Community Development Department planning division.

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

**MOTION CARRIES.**

Mr. Baker stated that there is a ten-day appeal period.

**6. OTHER BUSINESS – None.**

**7. COMMITTEE ACTIVITIES**

**a. Status Report: Paradise RDA Advisory Committee Meeting**

The next Paradise Redevelopment Advisory Committee Meeting is tentatively scheduled for October 27, 2009 at 4:00 p.m. and to be a joint meeting with the Redevelopment Agency Board of Directors.

**8. COMMISSION MEMBERS**

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

Mr. McGreehan informed the Commission that the Wal Mart application has again been deemed incomplete; and, that the sign regulations will be coming back to the Planning Commission.

**9. ADJOURNMENT**

The Planning Commission meeting was adjourned at 7:00 p.m.

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Chairman

Attest:

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Planning Commission Secretary