

## **TOWN OF PARADISE**

### **ORDINANCE NO. 501**

#### **AN ORDINANCE AMENDING TEXT REGULATIONS WITHIN PARADISE MUNICIPAL CODE TITLE 16 RELATING TO: PARCEL MAP TIME EXTENTIONS, PLANNING DIRECTOR RESPONSIBILITIES AND TIME LIMITS EXPIRATION FOR TENTATIVE MAPS**

The Town Council of the Town of Paradise, State of California does hereby **ORDAIN AS FOLLOWS:**

**SECTION 1.** The text of Section 16.04.045 [Planning Director] of Chapter 16.04 [Responsibilities] of the Paradise Municipal Code shall be amended to read as follows:

16.04.045 Planning Director. The planning director shall be responsible for approving, conditionally approving, or denying those tentative parcel maps that are noncontroversial and do not involve significant policy issues, as well as time extensions related to said tentative parcel maps.

**SECTION 2.** The text of subsections “A” and “D” of Section 16.07.060 [Expiration of time limits for approved or conditionally approved tentative maps] of the Paradise Municipal Code shall be amended to read as follows:

- A. The approval or conditional approval of a tentative subdivision map shall expire thirty-six months beyond the date of its approval or conditional approval. The planning commission may extend such approval for an additional time period not exceeding a total of six years. Such extension application of the subdivider shall be filed in writing prior to the expiration date of the approved or conditionally approved tentative map. Prior to the expiration of the approved tentative map, upon receipt by the community development department of a complete application to extend the map, the tentative map approval shall automatically be extended for sixty days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. The planning commission may approve, at its discretion, any portion of the additional six year time extension for any tentative subdivision map. In order to approve an extension application the planning commission must find evidence before them verifying that the subdivider has exhibited good faith in attempting to satisfy the conditions of the approved tentative subdivision map.
- D. After service of the initial petition or complaint in the lawsuit upon the town, the subdivider may file a written request with the planning director that a stay in the time period begin. Within forty days after receiving the application requesting a stay in the time period, the town council shall either stay the time period for up to six years or deny the requested stay.

**SECTION 3.** The text of subsections “A” and “B” of Section 16.08.085 [Extensions] of the Paradise Municipal Code shall be amended to read as follows:

- A. The planning director or the planning commission may extend an approved tentative parcel map for an additional time period not exceeding a total of six years. Such extension application shall be filed by the subdivider in writing prior to the expiration date of the approved tentative parcel map. Prior to the expiration of the approved tentative parcel map, upon receipt by the community development department of a complete application to extend

the map, the tentative parcel map approval shall automatically be extended for sixty days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. The planning director or the planning commission may approve, at its discretion, any portion of the additional six year time extension for any tentative parcel map. In order to approve an extension application the planning director or the planning commission must find evidence before them verifying that the subdivider has exhibited a good faith effort in attempting to satisfy the conditions of the approved tentative parcel map.

- B. If the planning director or the planning commission denies the application for a time extension, pursuant to subsection A, the subdivider may appeal the denial to the town council within fifteen days after the denial action

**SECTION 4.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated with the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

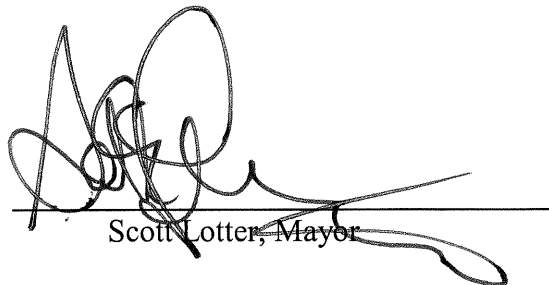
**PASSED AND ADOPTED** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 8<sup>th</sup> day of June, 2010 by the following vote:

**AYES:** Steve "Woody" Culleton, Joe DiDuca, Alan White, and Scott Lotter, Mayor

**NOES:** None

**ABSENT:** Frankie Rutledge

**ABSTAIN:** None



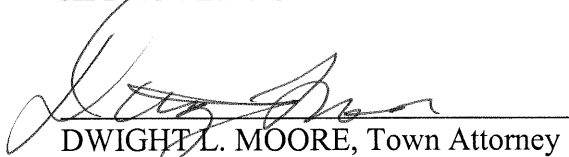
Scott Lotter, Mayor

**ATTEST:**



JOANNA GUTIERREZ, Town Clerk

**APPROVED AS TO FORM:**



DWIGHT L. MOORE, Town Attorney