

TOWN OF PARADISE

ORDINANCE NO. 496

AN ORDINANCE AMENDING TEXT REGULATIONS WITHIN PARADISE MUNICIPAL CODE CHAPTERS 17.11, 17.34, 17.38, AND 17.45 RELATED TO: COMMERCIAL COMPOSTING AS A POTENTIAL LAND USE IN THE AR-3 ZONE; MOBILE HOME PARK STANDARDS; PARKING REGULATIONS; AND SITE PLAN REVIEW PERMIT AND USE PERMIT REVOCATION PROCEDURES

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

SECTION 1. The text of Section 17.11.200 [Permitted and conditional uses] of Chapter 17.11 [Agricultural Residential Zones] of the Paradise Municipal Code shall be amended by adding the land use: “Commercial Composting” within the “AR-3” zone as a potentially permitted use with town approval and issuance of a conditional use permit.

SECTION 2. The text of subsection “C” [Parking Requirements] of Section 17.34.300 [Standards for mobile homes and accessory uses] of Chapter 17.34 [Mobile Home Park Standards] of the Paradise Municipal Code shall be amended to read as follows:

C. Parking Requirements. Except for senior and/or disabled housing mobile home parks, the overall parking ratio shall be a minimum of two (2) parking spaces per dwelling. The overall parking ratio for senior and/or disabled housing mobile home parks shall be a minimum of one and one-half parking spaces per dwelling. At least one parking space shall be provided on or immediately adjacent to each mobile home space. All parking within mobile home parks approved after the effective date of the ordinance codified in this title shall conform to the parking requirements contained in this title.

SECTION 3. The text of Section 17.38.700 [Handicapped Facilities] of Chapter 17.38 [Off-Street Parking and Loading Regulations] of the Paradise Municipal Code shall be amended to read as follows:

17.38.700 Handicapped and/or Disabled Facilities.

A. Parking spaces for serving handicapped and/or disabled persons shall be established in each parking facility in accordance with the regulations of Section 1129B of Title 24, California Code of Regulations.

B. Handicapped and/or disabled parking space facilities may be permitted to be established with a location within a yard setback area subject to Town approval and issuance of an administrative permit.

SECTION 4. The minimum parking spaces requirement assigned for the land use “medical office” listed within Section 17.38.1000 [Off-Street Parking Requirements] of the Paradise Municipal Code shall be amended to require: 1 per 200 square feet.

SECTION 5. The text of subsections “A” and “B” of Section 17.45.210 [Time Limit-Expiration] of Chapter 17.45 [Administration] of the Paradise Municipal Code shall be amended to read as follows:

- A. If any land use for which a use permit has been granted and issued is not established within three (3) years of the use permit’s effective date established in accordance with the provisions of Section 17.45.220 of this chapter, the use permit may become subject to revocation and the planning director (or designee) may initiate a revocation proceeding as set forth in Section 17.45.230 of this chapter. In the event the use permit is revoked pursuant to this chapter, reapplication and reapproval shall be required to establish the land use previously granted under the expired and revoked permit.
- B. A use permit shall be deemed eligible for revocation if the established land use for which the permit was granted has ceased or has been suspended for twelve (12) consecutive months.

SECTION 6. The text of Section 17.45.230 [Violation of Terms of the Use Permit] of the Paradise Municipal Code shall be amended to read as follows:

17.45.230 Violation of terms of the use permit. Whenever any alleged violation of the terms of a use permit is brought to the attention of the planning director and after investigation it is determined that a violation does exist, then the permittee shall be sent a written notice to comply within thirty (30) days. The notice shall be sent by certified mail, return receipt requested, and the thirty (30) day period shall commence with the date of the mailing of the notice. If the permittee does not comply within the thirty (30) day period, the planning director (or designee) may place the question of revocation of the use permit on the agenda of the next available planning commission and/or planning director meeting. A public hearing shall be required to be conducted by the planning commission or the planning director in order for the town to legally revoke a use permit.

SECTION 7. The text of Section 17.45.490 [Revocation of Site Plan Review Permit] of the Paradise Municipal Code shall be amended to read as follows:

17.45.490 Revocation of site plan review permit. The planning commission and/or the planning director is vested with the authority to officially revoke a town approved and issued site plan review permit. Whenever evidence exists and a determination is rendered, upon completion of a public hearing conducted by the planning commission and/or the planning director pertaining thereto, verifying that a specific land use is not being performed in a manner that complies with the provisions of this title or its town adopted and assigned conditions of approval, the planning commission and/or the planning director may officially revoke the affected site plan review permit.

SECTION 8. 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.

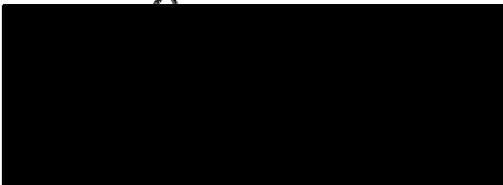
PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this 9th day of March, 2010 by the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None



Scott Lotter, Mayor

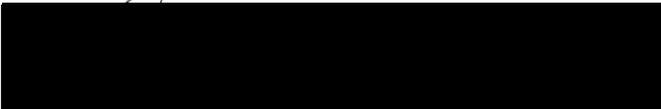
ATTEST:



3-15-2010

JOANNA GUTIERREZ, Town Clerk

APPROVED AS TO FORM:



DWIGHT L. MOORE, Town Attorney