

TOWN OF PARADISE

ORDINANCE NO. 524

**AN ORDINANCE AMENDING TEXT REGULATIONS WITHIN PARADISE MUNICIPAL CODE
CHAPTER 17.38 RELATING TO OFF-STREET PARKING REGULATIONS**

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

SECTION 1. Section 17.38.200 (B) of the Paradise Municipal Code shall be amended as follows:

- B. Facilities being used for off-street parking on the effective date of this ordinance codified in this title shall not be reduced in capacity to less than the number of parking spaces required, or altered in design or function to less than the minimum standards prescribed by this title, except as provided by Section 17.38.350 of this chapter.

SECTION 2. A new section 17.38.350 shall be added to the Paradise Municipal Code to read as follows:

17.38.350 Exceptions.

- A. The parking requirements set forth in Section 17.38.1000 of this chapter may be reduced by up to twenty percent by the Planning Director, or by the Planning Commission or the Town Council upon appeal, via the granting of an administrative permit processed in accordance with Section 17.45.240 of this Title. An administrative permit authorizing a reduction in required off-street parking spaces shall be granted only when all of the following findings are determined, based on substantial evidence:
 - 1. The specific characteristics of the land use for which the reduction is requested (e.g., hours of operation, mixed use projects, site characteristics, number of employees, characteristics of surrounding land uses, proximity to regional transit lines or public parking, etc.) do not necessitate the number of parking spaces that would otherwise be required by this chapter;
 - 2. Information provided by the applicant for a reduction in required parking documents the need for fewer parking spaces (e.g., market studies, sales receipts, documentation of customer volume and frequency, parking standards for the proposed land use required by other jurisdictions, etc.); and

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3. The reduced parking standards will be adequate to accommodate all parking demands generated by the proposed land use and will not be detrimental to the public's health, safety and general welfare.

SECTION 3. Section 17.38.800 of the Paradise Municipal Code shall be amended to read as follows:

A. Each off-street loading space required by this title shall be of sufficient size to park commercial vehicles loading and unloading merchandise and materials on the property on which a space is located, together with such additional area which the town engineer determines is necessary to safely maneuver a vehicle between the loading space and any public right-of-way or any road, street or alley adjoining the property.

B. Private off-street loading space for the handling of goods, materials and equipment shall be provided as follows:

1. Buildings fifteen thousand (15,000) square feet or greater of gross floor area (including building conversions): one off-street loading space, plus one additional space for each additional thirty thousand (30,000) square feet of gross floor area.

2. Buildings less than fifteen thousand (15,000) square feet or greater of gross floor area shall not be required to install an off-street loading space.

SECTION 4. The portion of Section 17.38.1000 of the Paradise Municipal Code establishing off-street parking requirements for "Retail sales, retail service" shall be amended as follows:

<u>Use</u>	<u>Minimum Requirements</u>
Retail sales, retail service	1 per 250 square feet

SECTION 5. 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 within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

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PASSED AND ADOPTED by the Town Council of the Town of Paradise, County of Butte, State of California, on this 7th day of August, 2012 by the following vote:

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

NOES: Alan White

ABSENT: Tim Titus

ABSTAIN: None

_____/s/_____
Steve "Woody" Culleton, Mayor

ATTEST: 08/09/12

_____/s/_____
JOANNA GUTIERREZ, Town Clerk

APPROVED AS TO FORM:

_____/s/_____
DWIGHT L. MOORE, Town Attorney