

**SPECIAL MEETING
PARADISE PLANNING COMMISSION
June 25, 2012 - 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 Vice Chair Bolin at 6:00 p.m.

ROLL CALL

Present at roll call were Commissioners Jones, Woodhouse, Zuccolillo and Vice Chair Bolin. Chair Grossberger was not present. Community Development Director Craig Baker was also present.

1. PUBLIC HEARING

- a. **FEATHER RIVER HOSPITAL TREE FELLING PERMIT APPLICATION (PL12-00158):** Request for town approval of a tree felling permit proposing the felling of +/-23 qualifying trees upon a +1.0 acre property zoned Community Services (CS) located at 1933 Peach Lane (AP No. 053-271-006) to facilitate construction of a +/- 13,109 square foot outpatient medical office affiliated with the adjacent Feather River Hospital.

Community Development Director Baker stated that Feather River Hospital is requesting approval to fell 23 qualifying trees on a one acre property located at 1933 Peach Lane to accommodate the establishment of a 13,000 square foot medical office and parking facility. The project development will occur in a single phase with several site improvements. The exterior design is heavy wood beam and isolated spread foundations similar to the recently completed emergency room, and there will be a standing seam metal mansard roof.

The primary access to the project is Peach Lane, a private road owned by the hospital. The proposed methods of sewage disposal will be a tightline pipe connected to the existing clustered wastewater treatment and disposal facility serving the hospital that has ample reserve capacity to accommodate the new facility, alleviating the need for an onsite leach field.

The project site is presently improved with a single-family dwelling and also contains 23 qualifying ponderosa pine and black oak trees that need to be felled to accommodate the project. Seven native samplings also exist on the site that qualify as replacement trees or mitigation trees and will be protected and incorporated into landscape plans. The landscape plans may not be able to accommodate all 23 required replacement trees even with the seven (7) trees and the hospital may have to pay the mitigation fees.

The zoning for this project is designated as Community Services (CS), allowing medical offices as a permitted land use, but the CS does not permit commercial timber harvesting. This is not considered commercial timber harvesting due to the fact that the trees are being felled in order to accommodate development of the property and not just for commercial purposed. Additionally,

since the proposed land use is enumerated as a permitted land use in the CS zone, it is ministerial in nature and therefore not subject to the California Environmental Quality Act (CEQA).

Town tree felling regulations require that a written certification be submitted by a Registered Professional Forester or Arborist certifying that all 23 qualifying trees must be felled to accommodate the proposed project. The Planning Commission may approve the tree felling permit if it finds that the proposed trees need to be felled to accommodate the project.

Staff's analysis indicates that the application is complete and eligible to be approved by the Planning Commission. Mr. Baker requested that if approved, the Planning Commission add an additional finding stating that the tree felling activity is categorically exempt from CEQA.

Mr. Baker stated that the tree mitigation fee is in a fund, primarily to replace trees and maintain street trees. The mitigation fee is \$175 per tree.

Vice Chair Bolin opened the public hearing at 6:12 p.m.

1. Carol Michaelson, Feather River Hospital (FRH) Project Manager and Facilities Director, stated that the building project will provide better patient care by taking pressure off the main hospital, minor operative and GI procedures and everything will happen in the facility and Feather River Hospital has been planning this project for several years and just recently received corporate approval.

Commissioner Zuccolillo asked about trees on the lot and why they can't be saved.

2. Tom Gomez, FRH onsite Certified Arborist, stated that the trees cannot be salvaged due to the grade cuts that have to be made in the parking lot and if done would leave them vulnerable. He stated that if it was a different time of year when the trees were dormant, and there were time, then maybe some trees could have root pruning done, but this is the wrong time of year and they would ultimately die making it necessary to remove all 23 of the trees prior to construction.

Vice Chair Bolin closed the public hearing at 6:20 p.m.

Commissioner Woodhouse announced that after discussion with the Town Attorney, since he is on the governing board of the hospital, that he would abstain from voting on this item.

Commissioners asked if the sapling trees are used towards the replacement trees or if it is possible to require all 23 trees be replaced and if the trees need to be planted on the parcel or if they could be planted on hospital property.

Mr. Baker explained that if all 23 replacement trees cannot be replaced on the property and incorporated into the landscape design then the mitigation fee will need to be paid for the remaining trees that cannot be placed on the site and that the seven (7) saplings are not part of the replacement trees. The saplings must meet certain criteria for mitigation trees then they will offset the number of replacement trees required to be put on the site, which would equal 16 replacement trees.

Mr. Baker also stated that the only way the replacement trees could be planted on hospital property and count toward the replacement requirement would be if the two parcels were merged.

Mr. Baker explained that the mitigation fee can be used for tree related activity including education, maintaining existing trees in town or purchases of new street trees for future public works projects.

Commissioner Jones asked about the discretion of the Planning Commission regarding the tree mitigation issue.

Mr. Baker stated that the tree ordinance allows developers to use saplings to offset replacement requirement by a certain percent.

Mr. Gomez stated that it was his opinion that there was enough room to accommodate between 16 and 20 15-gallon replacement trees.

A Feather River Hospital representative stated that the landscape architect had not yet started on the project, but would be better able to determine the actual number of replacement trees once he begins work on the project.

It was moved by Commissioner Zuccolillo, seconded by Commissioner Jones to approve the findings as provided by staff and approve the Feather River Hospital tree felling permit application (PL12-00158), authorizing the felling of up to twenty-three (23) qualifying ponderosa pine and black oak trees on property located at 1933 Peach lane (APN 053-271-006), subject to the following conditions and suggested additional finding added by staff:

FINDINGS FOR APPROVAL

- A. The Feather River Hospital tree felling permit application meets the criteria for conditional tree felling permit approval as outlined within PMC Section 8.12.090 because the proposed tree felling activity is necessary to accommodate the establishment of a medical office facility upon land that is planned to accommodate such a land use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.
- C. *The proposed tree felling activity is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15304 Class 4.*

CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT

- 1. Secure the issuance of a construction permit for any required septic system construction permit for the proposed medical office facility.
- 2. File any required building permit applications for the proposed medical office facility with the Town Building Official/Fire Marshal.

GENERAL CONDITIONS

3. Required landscape plans for the proposed medical office facility shall be designed to accommodate native saplings proposed to be protected on the site as replacement trees and shall include all other required replacement trees. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.
4. All native saplings proposed to be protected on the site as replacement trees shall be protected during construction activities in a manner consistent with the Town of Paradise Suggested Practices for Protection of Trees on Commercial, Quasi-Public and Multi-Family Residential Construction Sites.
5. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction.

VOTE: AYES: Commissioners Jones, Zuccolillo, and Vice Chair Bolin. NOES: None.
ABSTAIN: Woodhouse. **ABSENT:** Chair Grossberger.

MOTION CARRIES.

Community Development Director Baker stated that the decision of the Planning Commission may be appealed to the Town Council within 10 days of this meeting date.

The Planning Commission meeting was adjourned at 6:30 p.m.

Date Approved: July 17, 2012

Greg Bolin, Vice Chair

Attest:

Dina Volenski, Assistant Town Clerk