



# TOWN OF PARADISE

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## PLANNING COMMISSION MINUTES

**May 05, 2014 – Special Meeting  
6:00 PM**

**CALLED TO ORDER** at 6:00 pm in the Town Hall Council Chamber located at 5555 Skyway, Paradise, California by Chair Michael Zuccolillo who led the Pledge of Allegiance to the Flag of the United States of America.

**COMMISSIONERS PRESENT:** James Clarkson, Stephanie Neumann, Daniel Wentland and Michael Zuccolillo, Chair.

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Community Development Director Craig Baker and Town Clerk Joanna Gutierrez.

### 1. PUBLIC HEARING

- 1a. **DAVIS TREE FELLING PERMIT APPLICATION (PL14-00111):** Request for town approval of a tree felling permit proposing the felling of  $\pm 22$  qualifying trees upon a  $\pm 1.94$  acre property zoned Town Residential  $\frac{1}{2}$  acre minimum (TR  $\frac{1}{2}$ ) located at 1004 Maple Park Dr (AP No. 053-101-034) due to declining health and potentially hazardous conditions.

Director Baker reported to the Planning Commission that the Davis tree felling application relates to twenty-two (22) trees that are diseased, have foundation, structural and root damage and are hazardous to structures on the property. Thirty-five (35) healthy trees will remain on the property. The registered forester's report is complete, the site plan is included with the staff report, and the application is eligible for approval.

Chair Zuccolillo opened the public hearing at 6:05 pm. There were no speakers on the matter and Chair Zuccolillo closed the hearing.

**1a. MOTION by Neumann, seconded by Wentland,** adopted the following findings for approval and approved the Davis tree felling permit application (PL14-00111) authorizing the removal of up to twenty-two (22) qualifying ponderosa pine trees from residential property located at 1004 Maple Park Drive (APN 053-101-034) subject to Condition #1 listed below:

**FINDINGS FOR APPROVAL**

- A. The Davis 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 improve forest health and mitigate hazardous conditions that threaten improvements related to an existing single-family land use.
- B. The proposed tree felling activity, as conditioned, is consistent with applicable Town zoning regulations regarding commercial timber harvesting.

**CONDITION OF TREE FELLING PERMIT APPROVAL**

- 1. The approval action for the Davis tree felling permit application shall be valid for an initial term of 24 months. This period may be extended administratively by the Community Development Director upon submittal of substantial evidence that unforeseeable extenuating circumstances have prevented the permit applicant from securing the issuance of the permit and completing the proposed tree felling activity.
- 1b. **BIG 5 TREE FELLING PERMIT APPLICATION (PL14-00121):** Request for town approval of a tree felling permit proposing the felling of  $\pm 20$  qualifying trees upon a  $\pm 1.42$  acre property zoned Community Commercial (CC) located at 7337 Skyway (AP No. 053-021-081) to facilitate construction of a  $\pm 9,975$  square foot retail store (Big 5) and related site improvements.

Director Baker reported to the Planning Commission that the Big 5 tree felling application relates to removal of up to 20 qualifying trees to accommodate the establishment of a  $\pm 9,975$  square foot Big 5 retail store on commercial property located at 7337 Skyway. The report from the licensed tree contractor indicates that development of the site will result in the felling and removal of up to twenty (20) qualifying trees, with twenty-four (24) qualifying and four (4) non-qualifying trees remaining on the property.

Chair Zuccolillo opened the public hearing at 6:17 p.m.

- 1. Tom McCally stated that he lives on an adjacent property and is in favor of the removal of hazardous trees and would like an opportunity to meet with the developers.

Chair Zuccolillo closed the public hearing at 6:18 p.m.

Community Development Director Baker informed the Planning Commission that the developer would like remove the word “aggressive” and replace it with the word “attractively” from Condition #4, as the plan is to provide more landscaping near the front and less in the back in order to provide a buffer for the adjacent homeowner. Director Baker suggested the following modification:

Amendment to Condition No 4: Required landscape plans for the proposed retail store shall be designed to accommodate all required replacement trees and, to the extent that is feasible, shall be designed to buffer and screen the proposed project from abutting residential properties. ~~south of the site via an aggressive tree and shrub planting plan along the northern and southerly project site boundaries.~~ Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.

**1b. MOTION by Wentland, seconded by Clarkson,** approved the amendment to Condition No. 4, adopted the findings for approval as provided by staff and listed below, and approved the Big 5 tree felling permit application (PL14-00121), authorizing the felling of up to twenty (20) qualifying trees on property located at 7337 Skyway (APN 053-021-081), subject to the following conditions:

**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 retail store office facility.
2. File any required building permit applications for the proposed retail store with the Town Building Official/Fire Marshal.

**GENERAL CONDITIONS**

3. The approval action for the BIG 5 tree felling permit application shall be valid for an initial term of 24 months. This period may be extended administratively by the Community Development Director upon submittal of substantial evidence that unforeseeable extenuating circumstances have prevented the permit applicant from securing the issuance of the permit and completing the proposed tree felling activity.
4. Required landscape plans for the proposed retail store shall be designed to accommodate all required replacement trees and, to the extent that is feasible, shall be designed to buffer and screen the proposed project from abutting residential properties. Replacement tree species shall be selected for their ability to compensate for the loss of large native trees on the site.

5. All trees to be retained on the site 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.
6. A certified arborist shall be engaged by the applicant to oversee the employment of tree protection measures during all related project site improvements construction.

**2. ADJOURNMENT**

The Special Planning Commission meeting was adjourned by Chair Zuccolillo at 6:25 p.m.

Date Approved: May 20, 2014

By: \_\_\_\_\_/s/\_\_\_\_\_

Michael Zuccolillo, Chair

\_\_\_\_\_/s/\_\_\_\_\_

Joanna Gutierrez, CMC, Town Clerk