



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931

TELEPHONE (530) 872-6291 FAX (530) 877-5059

www.townofparadise.com

## SPECIAL PLANNING COMMISSION MEETING AGENDA

June 25, 2012 - 6:00 PM

### CALL TO ORDER – ROLL CALL

#### 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.

Comments are limited to a maximum of five minutes duration. If more time is needed, please request staff to place the subject on an agenda for a future Commission meeting.

#### \*\*\* PUBLIC HEARING PROCEDURE \*\*\*

- |                                   |                                |
|-----------------------------------|--------------------------------|
| A. Staff comments                 | C. Close hearing to the public |
| B. Open the hearing to the public | D. Commission discussion       |
| 1. Project applicant              | E. Motion                      |
| 2. Parties for the project        | F. Vote                        |
| 3. Parties against the project    |                                |
| 4. Rebuttals                      |                                |

**NOTE:** Pursuant to Planning Commission Resolution No. 96-001, any person may speak before the Commission regarding the matter under consideration for **a maximum of five minutes** unless granted additional time by the Chair. "In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Community Development Dept., at 872-6291 at least 48 hours in advance of the meeting."

#### 2. ADJOURNMENT

## **MEMORANDUM**

**TO:** Planning Commission **AGENDA NO. 1(a)**

**FROM:** Craig Baker, Community Development Director

**SUBJECT:** Feather River Hospital Tree Felling Permit Application (PL12-00158); APN 053-271-006

**DATE:** June 18, 2012

### **SPECIAL INFORMATION:**

The permit applicant/property owner, Feather River Hospital, is requesting approval from the Town of Paradise to fell 23 qualifying trees on a  $\pm 1.0$  acre property located at 1933 Peach Lane in the eastern portion of the Paradise Community. The trees are proposed to be felled to accommodate the establishment of a +/-13,000 square foot medical office building. The proposed project development is to occur in a single phase and is to include establishment of necessary site improvements (on-site parking facility, utility connections, trash enclosure, landscaping, etc.).

The proposed medical offices will function as an outpatient endoscopy and ambulatory surgery center. The 1-story structure will consist of exterior wood framing with continuous and isolated spread foundations. The exterior design and finish will be substantially similar to that of the recently completed emergency department, and a standing seam metal mansard roof will form a mechanical well to house HVAC equipment.

Primary road access for the project site is via Peach Lane, a paved private road that currently serves the adjacent facilities of the Feather River Hospital and the Feather Canyon Retirement Residence. Peach Lane connects to Pentz Road, a nearby public arterial street.

The proposed mode of sewage disposal for the medical office facility will be the construction of a sewer pipeline through which wastewater will be conveyed to an existing clustered community wastewater treatment and disposal facility currently serving the adjacent Feather River Hospital.

The project site is presently improved with a vacant single-family dwelling that is proposed to be demolished in order to accommodate construction and establishment of the medical office and related site improvements.

## **ANALYSIS**

The site contains 23 qualifying ponderosa pine and black oak trees. Development of the site as proposed will result in the felling and removal of all qualifying trees on the site. However, seven other native, but non-qualifying trees (4 to 28 inches in circumference) will be retained on the site as “mitigation trees” and will be incorporated into the required landscape plan for the project. In addition, at least sixteen replacement trees native to northern California (fifteen gallon minimum) will also be incorporated into the landscape plan.

### **Zoning Regulations**

The project site is designated by the Paradise General Plan and zoned Community Services (CS), allowing medical offices as a planned, permitted land use. Current zoning regulations assigned to the site prohibit the establishment of a “commercial timber harvesting” land use as a primary land use. Commercial timber harvesting is generally defined within the Paradise Municipal Code (PMC) as the harvesting of twelve or more qualifying trees for commercial purposes from a single property within a twelve-month period. Although the applicant is proposing the felling of 23 qualifying trees from a single property within a twelve-month period, the trees are proposed for felling in order to accommodate development of the property with a new medical office facility and related site improvements and not solely for commercial timber harvesting. Thus, the proposed tree felling activity appears to be in compliance with current town zoning regulations.

### **Environmental Review**

The General Plan land use designation/zoning and planned use of the site for the establishment of medical offices was evaluated and approved by the Town in 2010. The Town’s environmental review included the development of an initial study and adoption of a negative declaration pursuant to the requirements of the California Environmental Quality Act (CEQA) on August 17, 2010. Further, since the proposed land use is enumerated as a permitted land use in the CS zone, it is ministerial in nature and is therefore not subject to CEQA.

### **Tree Felling Regulations**

Pursuant to Paradise Municipal Code (PMC) Section 8.12.090, any new development project involving the felling of five (5) or more qualifying trees and not associated with a planning or

land use entitlement must be reviewed and acted upon by the Planning Commission. Since application materials indicate that 23 qualifying trees are proposed to be felled to accommodate the proposed project, the Feather River Hospital tree felling permit application was duly noticed and scheduled for Planning Commission consideration.

The Planning Commission may approve the issuance of a tree felling permit as proposed if it finds that all trees proposed for felling must be felled to accommodate construction of the proposed improvements.

Pursuant to the requirements of PMC Section 8.12.040, the Feather River Hospital tree felling permit application was submitted with detailed material evidence provided by Registered Professional Forester Randolph Vasquez (RPF No. 1884), certifying that all 23 qualifying trees must be felled to accommodate the proposed project. No specific request for relief or partial relief from tree restocking/replacement has been submitted by the project applicant or the project arborist for Planning Commission consideration.

## **ANALYSIS CONCLUSION**

Based upon the preceding observations and analysis, it appears that the Feather River Hospital tree felling permit application is complete, consistent with applicable Town zoning regulations and eligible to be approved by the Planning Commission, pursuant to the requirements of Chapter 8.12 and Title 17 of the Paradise Municipal Code. Accordingly, staff has prepared potential findings to support approval of the tree felling permit application.

***Planning Commissioners are encouraged to visit the project site and contact Town staff with any questions prior to the scheduled public hearing for the Feather River Hospital tree felling application.***

## **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.

### **REQUESTED ACTION**

1. Open the public hearing and solicit input from the attending public;
2. Close the public hearing and move to:
  - a. Adopt the findings for approval 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:

### **CONDITIONS TO BE MET PRIOR TO ISSUANCE OF TREE FELLING PERMIT**

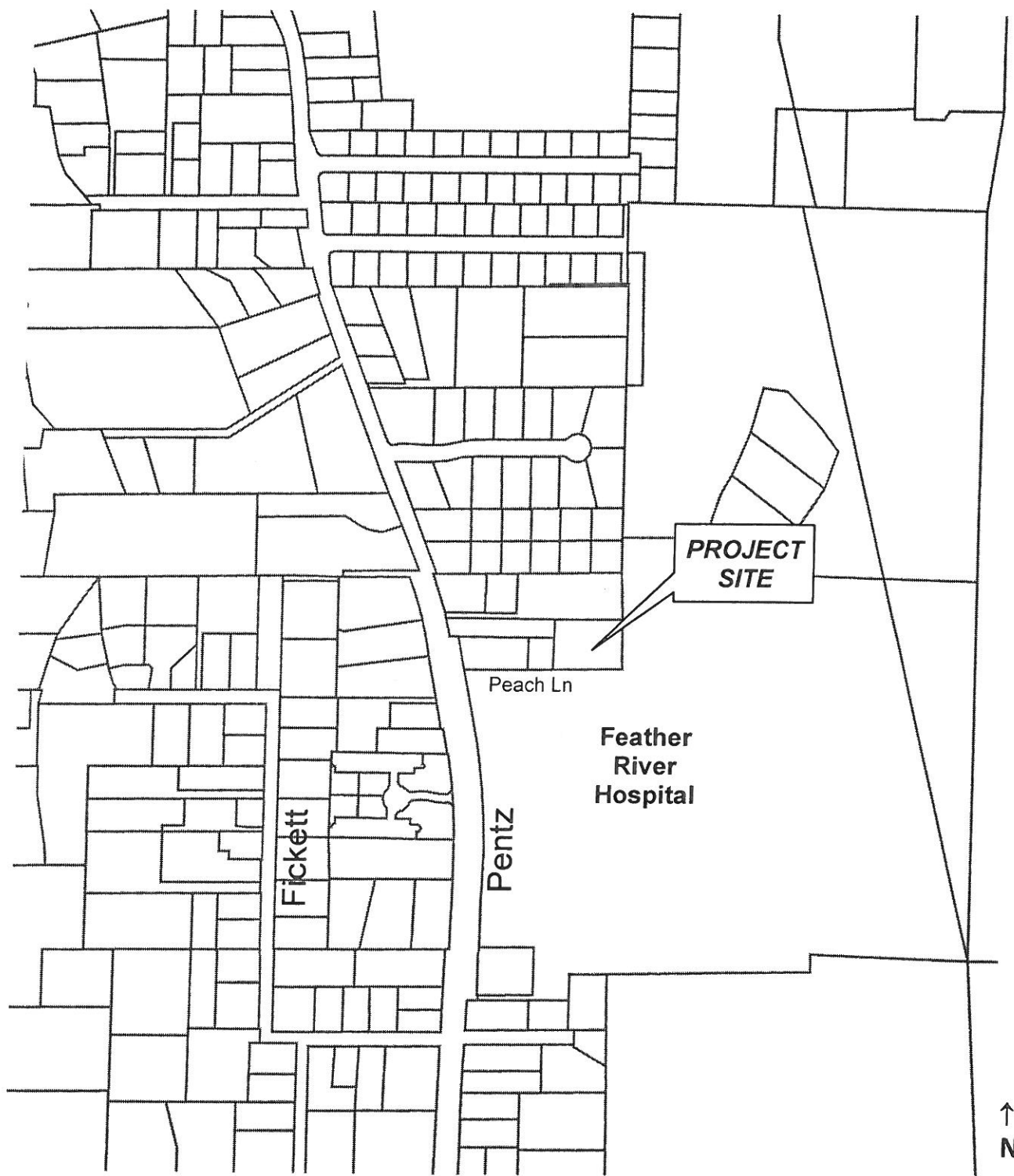
1. Secure the issuance of a construction permit for any required septic system construction permit for the proposed medical office facility.
2. File any required building permit applications for the proposed medical office facility with the Town Building Official/Fire Marshal.

### **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.

## **LIST OF ATTACHMENTS FOR THE FEATHER RIVER HOSPITAL TREE FELLING PERMIT APPLICATION**

1. Vicinity map of the project site area.
2. List of property owners notified of the public hearing.
3. Copy of the notice of public hearing for the Feather River Hospital tree felling permit application.
4. Tree felling permit application (PL12-00158) submitted on June 11, 2012 for the proposed tree felling activity.
5. Written certification provided by RPF No. 1884 Randolph Vasquez that the 23 trees proposed for felling must be felled to accommodate construction activities, dated June 8, 2012.
6. Tree protection plan and verification as project arborist submitted by Tom Gomez, dated June 7, 2012.
7. Plot plan (36"x 48") submitted with the tree felling permit application showing the proposed Feather River Hospital project and associated improvements, dated June 11, 2012.



**APPLICANT: FEATHER RIVER HOSPITAL**

**OWNER: Same**

**LOCATION: 1933 Peach Lane**

**REQUEST:** Application for town approval of a tree felling permit proposing the felling of up to +/-23 qualifying trees upon a  $\pm 1.0$  acre property zoned Community Services (CS) located at 1933 Peach Lane to facilitate construction of a +/-13,109 square foot outpatient medical office affiliated with the adjacent Feather River Hospital.

**Zoning: CS**

**GENERAL PLAN: CS**

**FILE NO. PL12-00158**

**ASSESSOR PAREL NUMBER: 053-271-006**

**MEETING DATE: 6-25-12**

FRH

053-390-002-000  
PARADISE RETIREMENT RESIDENCE  
LP  
PO BOX 847  
CARLSBAD, CA 92018

053-260-063-000  
MITTAG SHAWN M & PENELOPE A  
1869 DEL RIO WAY  
PARADISE, CA 95969

053-260-055-000  
LIBLIN FAMILY TRUST  
1877 DEL RIO WY  
PARADISE, CA 95969

053-260-062-000  
COONS RUTH E  
1871 DEL RIO WAY  
PARADISE, CA 95969

053-260-054-000  
KIDDER VESTA I & ROBERT A TRUST  
1873 DEL RIO WAY  
PARADISE, CA 95969

053-390-011-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-260-066-000  
OLSHAK HANNELORE ETAL  
1872 DEL RIO WAY  
PARADISE, CA 95969

053-260-058-000  
GUINON MAUREEN  
1868 DEL RIO WAY  
PARADISE, CA 95969

053-260-057-000  
MCSPADDEN WILLIAM G & MARIE K  
341 SANBAR CT  
PARADISE, CA 95969

053-260-059-000  
MCKASSON WAYNE E REVOCABLE  
INTER VIVOS TRUST  
1870 DEL RIO WAY  
PARADISE, CA 95969

053-260-041-000  
JACOBS MATTHEW G  
1876 DEL RIO WAY  
PARADISE, CA 95969

053-271-002-000  
CLASSEN FAMILY TRUST  
6068 PENTZ RD  
PARADISE, CA 95969

053-271-016-000  
ROLFE CARLY  
6074 PENTZ RD  
PARADISE, CA 95969

053-271-015-000  
FULLER JOHN E  
PO BOX 1143  
LOS MOLINOS, CA 96055

053-271-003-000  
GARLAND LARRY J  
5665 LITTLE GRAND CANYON  
PARADISE, CA 95969

053-271-006-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-390-009-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969

053-271-005-000  
FEATHER RIVER HOSPITAL  
5974 PENTZ RD  
PARADISE, CA 95969



Randolph Vasquez Forest Management  
1600 Feather River Blvd., Ste. B  
Oroville, CA 95965

Tom Gomez  
Tom's Tree Service  
P.O. Box 2495  
Paradise, CA 95967-2495

Tom Paxton  
Feather River Hospital  
5974 Pentz Road  
Paradise, CA 95969

Nichols, Melburg & Rosetto  
555 Main St., Ste. 300  
Chico, CA 95928

Paradise Unified School District  
6696 Clark Road  
Paradise, CA 95969

Paradise Irrigation District  
P.O. Box 2409  
Paradise, CA 95967-2409

Paradise Recreation & Park Dist.  
6626 Skyway  
Paradise, CA 95969

Paradise Ridge Chamber of  
Commerce  
5550 Skyway  
Paradise, CA 95969

Paradise Board of Realtors  
6178 Center Street  
Paradise, CA 95969

Paradise Downtown Business  
Association  
c/o Fir Street Gallery/Pam Funk  
6256 Skyway  
Paradise, CA 95969

Butte County Planning  
Courier

Paradise Cemetery District  
980 Elliott Road  
Paradise, CA 95969

Butte Co. Air Quality Mgmt. Dist.  
629 Entler Ave., Suite 15  
Chico, CA 95928

Butte Environmental Council  
116 W. 2<sup>nd</sup> Street #3  
Chico, CA 95928

Pacific Gas & Electric  
Laird Oelrichs, Land Agent  
350 Salem St.  
Chico, CA 95928

**NOTICE OF PUBLIC HEARING  
PARADISE PLANNING COMMISSION**

**NOTICE IS HEREBY GIVEN** by the Town of Paradise Planning Commission that a public hearing will be held at a special Planning Commission meeting on Monday, June 25, 2012 at 6:00 p.m. in the Paradise Town Hall Council Chambers, 5555 Skyway, Paradise, CA, regarding the following project:

- a. Item determined to be exempt from environmental review:

**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.

The project file is available for public inspection at the Development Services Department, Paradise Town Hall, 5555 Skyway, Paradise, CA 95969. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town of Paradise Planning Director at, or prior to, the public hearing. For further information please contact the Development Services Department at (530) 872-6993 or (530) 872-5922.

CRAIG BAKER, Planning Director

TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPARTMENT (PLANNING DIVISION)  
5555 SKYWAY, PARADISE - (530) 872-6291  
TREE FELLING APPLICATION/PERMIT

AP NO. <u>053-271-006</u>	PERMIT NO. _____	DATE: <u>6-11-12</u>
PROPERTY ADDRESS: <u>1933 Peach Ln.</u>		
PROJECT DESCRIPTION (attach additional sheet(s) if necessary) NUMBER OF TREES: <u>23</u> TYPE OF TREES: <u>P.P. B.O.</u> CIRCUMFERENCE OF TREES (at 54" above grade): <u>23</u>		
DATE FELLING SHALL START: _____		
CONSTRUCTION PERMIT NO: _____		DATE ISSUED _____
PURPOSE OF REMOVAL: <u>CONSTRUCTION</u>		
TREE FELLING PERMIT HISTORY FOR PROPERTY: _____		
OWNER INFORMATION:		
NAME: <u>Feather River Hospital</u>		TELEPHONE NUMBER: <u>877-9361 Ext. 8150</u>
ADDRESS: STREET NUMBER/NAME: <u>5974 Penny Rd.</u>		
CITY/STATE/ZIP: _____		
CONTRACTOR INFORMATION:		
NAME: <u>Tom's Tree Service</u>		TELEPHONE NUMBER: <u>877-6055</u>
ADDRESS: STREET NUMBER/NAME: _____		
CITY/STATE/ZIP: _____		
PERMIT FEE \$ _____	REPLACEMENT FEE \$ _____	RECEIPT NO. _____

PLOT PLAN (Show Street, Structure and Tree(s) in space provided below.)

If this permit application is for five (5) or more qualifying trees, submit a separate plot map drawn to scale.

*See Plot Plan*

TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPT.

JUN 11 2012

**RECEIVED**

CONTRACTOR LICENSE LAW

I declare under penalty of perjury (check one):

- ☐ I am licensed under provisions of the Business and Professions Code and my license is in full force and effect.  
License No. \_\_\_\_\_ Classification \_\_\_\_\_
- ☐ The contracted service price is \$500.00 valuation or less and owner provided written disclosure as per Business & Professions Code Section 7048.
- ☐ I, as the owner, or my employees with wages as their sole compensation will do the work.
- ☐ I, as the owner, am exclusively contracting with licensed contractors.
- ☐ I am licensed under provisions of Public Resources Code 4570 et seq. and my license is in full force and effect.  
License No. \_\_\_\_\_
- ☐ I, as the owner, am exclusively contracting with a licensed timber operator.

WORKER'S COMPENSATION INSURANCE: I declare under penalty of perjury (check one):

- ☐ I have placed on file with the Town of Paradise Community Development Department a certificate of worker's compensation or a certificate of consent to self insure.
- ☐ I shall not employ any person in any manner so as to become subject to the workers compensation laws of California.
- ☐ The contracted service price is \$500.00 valuation or less.

NOTICE TO APPLICANT: If after making this statement, should you become subject to the workers compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

CERTIFICATION: I certify that I have read this application and state that the above information is correct. I agree to comply to all town ordinances and state laws relating to tree cutting, and hereby authorize representatives of the Town of Paradise to enter upon the above-mentioned property for inspection purposes. I also agree to save, indemnify and keep harmless the town and its agents against all liabilities, judgments, costs and expenses that may in any way accrue against said agency in consequence of the granting of this permit.

I understand that for each tree felled, one tree (fifteen gallon minimum size) shall be planted within twelve months thereafter or within one year of occupancy of new construction, whichever occurs first.

x. Thomas E. Saper

Date: 6-11-12

Signature of Applicant - Owner \_\_\_\_\_ Contractor \_\_\_\_\_ Agent \_\_\_\_\_ LTO \_\_\_\_\_

APPROVAL:

- ☐ Approved
- ☐ Disapproved

By \_\_\_\_\_

(Town Manager or Designee)

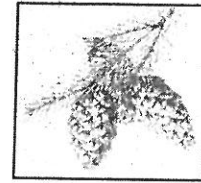
Date: \_\_\_\_\_

It is recommended that you contact the California Department of Forestry, Redding Office, (530) 225-2418 for regulations that may apply to tree felling. This permit expires 90 days beyond date of issue.

POST THIS PERMIT AT A POINT PROVIDING PRIMARY ACCESS TO THE SITE  
OF THE TREE FELLING PRIOR TO 12 FELLING ANY QUALIFYING TREES.

# Randolph Vasquez Forest Management

1600 Feather River Blvd Suite B  
Oroville, California 95965  
(530)534-5229



June 8, 2012

Town of Paradise  
555 Skyway  
Paradise CA 95969  
Attn: Craig Baker

Re: Tree report for AP#053-271-006 Outpatient Endoscopy & Ambulatory Surgery Center Project.

Purpose for tree removal;

Clear area for parking lot, driveway access, retaining wall, and building construction. The project will require the removal of 23 trees, 15 Ponderosa Pines(PP), 7 California Black Oaks(BO), and one canyon live oak(LO). The included table indicates tree circumference and reason for removal.

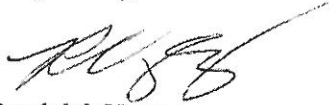
#	species	Circumference	reason	#	species	Circumference	reason
1	BO	75"	PL, Ex	13	PP	113"	Foundation
2	PP	119"	DW, Ex	14	PP	94"	Foundation
3	PP	100"	DW, Ex	15	BO	144"	Foundation
4	PP	94"	PL, Ex	16	PP	113"	Foundation
5	PP	94"	PL, Ex	17	LO	38"	PL, Ex
6	BO	56"	Foundation	18	BO	38"	PL, Ex
7	PP	34"	Foundation	19	PP	113"	DW, Ex
8	PP	56"	Foundation	20	BO	56"	PL, Ex
9	PP	44"	Foundation	21	PP	119"	Foundation
10	PP	50"	PL, Ex	22	PP	94"	Foundation
11	BO	94"	PL, Ex	23	BO	82"	Foundation
12	PP	94"	PL, Ex				

Trees to be removed have been numbered at the site with white paint.

Reasons for removal include; parking lot excavation "PL, Ex"9 trees, Driveway Excavation "DW, Ex"3 trees, within footprint of the foundation for new construction "Foundation"11 trees. Trees #1 and #3 are also hazard removal trees tree #3 is girdled by wire from the power line and tree #1 has heart rot.

As this lot is 1.00 acres or approximately 43,560 square feet there are only 7 trees to be retained as mitigation trees within the lot 1 Ponderosa Pine, 1 Live Oak and 5 Black Oak Saplings between the sizes of 4"-28" in circumference.

Respectfully,

A handwritten signature in black ink, appearing to read 'RV88', is written above the printed name.

Randolph Vasquez  
Registered Professional Forester #1884



W.C. 1248

# Tom's Tree Service

P. O. Box 2495  
Paradise, CA 95967-2495  
Tel: (530) 877-6055  
Fax: (530) 877-7773  
Cell: (530) 520-TREE



Contractor's License  
Number 652813

## TREE PROTECTION & SPECIFIC TREATMENTS

TREE PROTECTION REPORT FOR: Outpatient Endoscopy & Ambulatory Surgery Center  
REPORT PREPARED BY Tom Gomez, Certified Arborist

### Species

GP = Grey Pine  
SP = Sugar Pine  
PP = Ponderosa Pine  
IC = Incense Cedar  
CL = Canyon Liveoak  
BO = California Black Oak  
DF = Douglas Fir  
BLM = Big Leaf Maple

### Treatments

1 = Root Pruning  
2 = Clean dead limbs out to 1"  
3 = Remove Gall Rust  
4 = Cable crown for stability

#	Species	Circumference	Treatment	#	Species	Circumference	Treatment
				J			
A				K			
B	All remaining TREES will fall under these specific treatments & protections.			L			
C				M			
D				N			
E				O			
F		Tom Gomez		P			
G		6-7-12		Q			
H				R			
I				S			
				T			

In addition to the specific treatments listed above, the following practices will be included.

- All work to be done under I.S.A. standards.
- Dead wood will be removed down to 1 inch.
- All parasites to be removed.
- All cabling to be done as directed by a Certified Arborist.
- Pine bark spraying to be done as directed by a Certified Arborist.
- Root zones of preserved trees will have 6 inches of wood chips.
- Protective fencing to be installed by contractor prior to any excavation.
- Fertilize with calcium nitrate after tree work is finished.
- Watering to be done by contractor as directed by the Certified Arborist.
- No grade changes and trenching in drip line of without direction of the Certified Arborist.

TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPT.

JUN 11 2012

RECEIVED



# Tom's Tree Service

P. O. Box 2495  
Paradise, CA 95967-2495  
Tel: (530) 877-6055  
Fax: (530) 877-7773  
Cell: (530) 520-TREE



Contractor's License  
Number 652813

Date: 6-7-12

To: Town of Paradise

From: Tom Gomez, Certified Arborist

Number of Pages: \_\_\_\_\_

Message: I HAVE BEEN ENGAGED BY FEATHER RIVER HOSP  
to be the onsite Certified Arborist for the project  
NAME: Outpatient Endoscopy & Ambulatory Surgery  
Center.

Tom Gomez  
6-7-12

TOWN OF PARADISE  
COMMUNITY DEVELOPMENT DEPT.

JUN 11 2012

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Please call Tom's Tree Service at (530) 877-6055 if all pages of this fax are not received.