



# TOWN OF PARADISE

5555 SKYWAY • PARADISE, CALIFORNIA 95969-4931  
TELEPHONE (530) 872-6291 FAX (530) 877-5059  
www.townofparadise.com

## PLANNING COMMISSION MINUTES

**March 15, 2016**  
**6:00 PM**

**CALLED TO ORDER AT 6:03 P.M.**

**PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

**ROLL CALL:** All Commissioners present – Raymond Groom, Stephanie Neumann, Martin Nichols, Anita Towslee and James Clarkson, Chairman.

### **1. APPROVAL OF MINUTES**

- 1a. **MOTION by Nichols, seconded by Neumann**, approved the minutes of the February 16, 2016 Planning Commission meeting as presented. Roll call vote was unanimous.

### **2. COMMUNICATION**

- a. Recent Council Actions: Development Services Director Baker indicated that on March 8, 2016, the Town Council approved a civil citation amnesty program with intent to gain compliance from citizens providing property owners opportunity to apply for a 75% reduction in fines after correcting Paradise Municipal Code violations. Forty-eight letters were sent mailed out notifying property owners of the program.
- b. Staff Comments – None.

### **3. PUBLIC COMMUNICATION**

1. Thomas Wahl stated that he is concerned with the speed of motorists on Clark Road south of the golf course, and that he would like to apologize to the Planning Commission for his angry outburst at a previous hearing relating to medical marijuana regulations.

### **4. CONTINUED PUBLIC HEARINGS** None.

### **5. PUBLIC HEARING**

- 5a. **EYE LIFE INSTITUTE TREE FELLING PERMIT APPLICATION (PL16-00054):** Request for town approval of a tree felling permit proposing the felling of +26 qualifying trees upon a +1.47 acre property zoned Community Commercial (CC) located at 5889 Clark Road (AP No. 054-

330-019) to facilitate construction of a +/-6,607 square foot medical office (Eye Life Institute) and related site improvements.

Following a report from Director Baker, Chairman Clarkson opened the public hearing regarding the Eye Life Institute Tree Felling Permit Application at 6:18 p.m.

Speaking in favor of the project:

1. Shawn Shingler, representing project applicant Trilogy Construction, informed the Commissioners that the project applicant is a business owner in Paradise who purchased this property a year and a half ago with the intention to construct his own medical office building, that they have preserved as many trees as possible, that the landscape design is complete, and all 26 replacement trees will be replanted on the project site.

Speaking against the project: None.

Chairman Clarkson closed the public hearing at 6:22 p.m.

**5a: MOTION by Nichols, seconded by Towslee**, adopted the following findings as provided by staff and approved the Eye life Institute tree felling permit application (PL16-00054), authorizing the felling of up to twenty-six (26) qualifying trees on property located at 5889 Clark Road (APN 054-330-019), subject to the following conditions:

**FINDINGS FOR APPROVAL**

- A. The Eye Life Institute 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 land use upon land that is planned designated and zoned 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.

**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 offices with the Town Building Official/Fire Marshal.

**GENERAL CONDITIONS**

3. The approval action for the Eye Life Institute 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 medical offices 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 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

**6. OTHER BUSINESS**

- 6a. Colenzo Tentative Parcel Map Extension (PL16-00025) Request for a time extension for the conditional approval of the Colenzo Tentative Parcel Map (PM-05-6) for an additional six years beyond January 29, 2016.

Community Development Services Director Baker reported to the Commissioners the background of the applicant’s project, that due to the 2008 recession and sudden downturn in the economy, the state of California granted several automatic extensions of all unexpired land division approvals; and, that the subject applicant, Andy Colenzo, submitted a request on January 27, 2016 requesting that the Planning Commission grant a six-year time extension period for this project. Director Baker stated that staff has evidence of the applicant’s good faith efforts to satisfy the conditions of the approved tentative parcel map and recommends that the Commission grant the extension. The applicant has completed 12 of the 19 conditions, incurred expenses exceeding \$27,850 pursuing fulfillment of the project conditions, including development of road and drainage improvement plans, dedication of right-of-way and surveying costs. Mr. Colenzo submitted a request for staff to act on his behalf at this hearing as he is working out-of-town.

**MOTION by Clarkson, seconded by Groom**, approved on behalf of the Town of Paradise the granting of a six-year time extension for assignment to the conditionally approved Colenzo Tentative Parcel Map (PM-05-6), thereby creating a new tentative parcel map expiration date of January 29, 2022. Roll call vote was unanimous.

If a written appeal to the Town Council is not filed with the Town Clerk within ten calendar days of any denial decision, then the Planning Commission decision on behalf of the Town of Paradise becomes legally effective.

**7. COMMITTEE ACTIVITIES**

**8. COMMISSION MEMBERS**

- a. Identification of future agenda items (All Commissioners/Staff)

Commissioner Nichols informed the staff and fellow Commissioners that it appears that Trinity County will not be appointing an interim director and that the leave of absence that was authorized by the Planning Commission at the February 16, 2016 meeting may not become necessary.

Commissioners concurred to approve Commissioner's Neumann's requested for an excused absence from the April 19, 2016 Planning Commission meeting.

**9. ADJOURNMENT**

Chairman Clarkson adjourned the Planning Commission meeting at 6:33 p.m.

Date approved: April 19, 2016

By: \_\_\_\_\_/s/\_\_\_\_\_  
James Clarkson, Chairman

Attest: \_\_\_\_\_/s/\_\_\_\_\_  
Joanna Gutierrez, CMC, Town Clerk