



Commissioner Don Jones	District 1
Commissioner Linda Walker – Chairperson	District 2
Commissioner Kim Tipton	District 3
Commissioner William Turri	District 4
Commissioner Delbert David – Vice Chair	District 5

## TEHAMA COUNTY PLANNING COMMISSION MINUTES

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**MINUTES FOR THE MEETING HELD ON:** April 17, 2008

**LOCATION:** Former Board of Supervisors Chambers  
633 Washington Street, 2<sup>nd</sup> Floor  
Red Bluff, CA 96080

**COMMISSIONERS PRESENT:** Commissioners Walker, Jones, Turri, David

**COMMISSIONER ABSENT:** Commissioner Tipton

**PLANNING STAFF PRESENT:** George W. Robson, Director of Planning  
Kellee A. Taresch, Recording Clerk

**OTHER COUNTY DEPARTMENTS PRESENT:** Sylvia Duran, Deputy County Counsel  
Gary Antone, Director of Public Works

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### **PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance was led by Chairperson Walker.

Chairperson Walker temporarily adjourned the Planning Commission meeting at 9:03 a.m. to open the Airport Land Use Commission meeting.

Chairperson Walker reconvened the Planning Commission meeting at 9:04 a.m.

Mr. Robson stated that the last item on today's agenda, Tract Map #04-1003 Rolling Hills Partners is being pulled.

Mr. Robson announced that after 18 years of employment, John Stoufer, Planner II is leaving County employment to become the Planning Director of the City of Corning.

Mr. Stoufer thanked Bart Fleharty for suggesting he apply for the position, and also thanked George Robson for giving him the opportunity 18 years ago. Mr. Stoufer also thanked the

Commissioners and commended them for all the work they have done on the Tehama County Draft General Plan.

The Commissioners also thanked John for all his assistance and hard work and wished him good luck in his new endeavor.

**CITIZEN'S CONCERNS:**

Chairperson Walker asked for anyone wishing to address the Commissioners to please come to the podium. No comments were received.

**MINUTES OF MEETING:**

**Minutes of March 13, 2008 and March 20, 2008:**

Chairperson Walker asked if there were any corrections to the minutes of March 13, 2008 and March 20, 2008. None were noted.

**It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the minutes of March 13, 2008 and March 20, 2008 as mailed.**

**PUBLIC HEARING:**

**REVISED USE PERMIT #04-35, SPECIALIZED FIBERS  
(BUCKY LEE, INC., OWNER AND CRANE MILLS, OWNER)**

**TO INCREASE THE ALLOWABLE TONNAGE ACCEPTED BY AN ESTABLISHED WASTE PAPER RECYCLING PLANT IN AN M-2; GENERAL INDUSTRIAL ZONING DISTRICT FROM 405 TONS PER MONTH TO 800 TONS PER MONTH. ALSO, TO INCLUDE TWO MORE ADJOINING PARCELS WEST OF THE EXISTING OPERATION; ONE PARCEL CONTAINING EXISTING STRUCTURES AND ONE PARCEL BEING VACANT. APN: 87-100-69, 70 AND 71. APPROXIMATELY 18.37 ACRES.**

Chairperson Walker opened the public hearing.

Mr. Robson explained the project, location and request to increase the tonnage from 405 to 800 tons per month. He explained the original Use Permit approved had a limitation of 405 tons of processing materials per month, and the request is to increase that to 800 tons per month. He explained the applicant is in the process of purchasing property to the West of the current location on South Avenue to use for processing materials. Mr. Robson explained the current conditions that attach to a facility of this type are carried forward relative to the 800 tons, specifically the 10% residuals and 1% putrescibles relative to processing the recyclable materials is still the standard – 10% of 800 tons being 80 tons of waste materials to be disposed of at the counties of origin as is the requirement of the current 405 tons being processed. He explained the recycle facility has limitations to stay a recycle facility and not become a waste disposal facility. He stated they are only wishing to increase the volume. Mr. Robson stated staff is in the process of tracking down the reports that the facility has been generating and noted that this morning his office received that information and he had not had an opportunity to

analyze the results of the monthly tonnages and residual waste. He explained that at this point in time he does not have that information. He asked that if the Commissioners do take action on this project today relative to the project he will report back to the Commissioners next month as to the tonnages being processed, residuals being disposed of and to which various counties.

Discussion followed regarding the thresholds of traffic impact and left turn lane requirements and if and when they would be required. Gary Antone, Director of Public Works was present and explained in detail the current truck traffic on South Avenue and that a turn lane may be needed sometime in the future, but not required currently.

Commissioner David asked about a possible encroachment off Woodson Avenue.

Mr. Antone explained that should the applicant purchase the adjacent property to the West, the property bordering Woodson and along the North side of the applicants property would be closed off to allow one entrance into the site which is approximately half way between Woodson Avenue and Kirkwood Road on the South side of South Street.

Mr. Robson explained that conditions were added to address the liter problem and that the problem was corrected the very next day and noted that Environmental Health would be monitoring compliance with that issue.

Discussion followed regarding decorative plantings or fencing. It was noted the decorative plantings were not required as they may cause a site distance problem, however fencing was installed.

Mr. Robson stated the applicant has completed all the conditions that were required at the original approval of the Use Permit. He stated that the additional tonnage will only increase the truck traffic by one truck per day.

Chairperson Walker opened the meeting to public comments.

Bart Fleharty, attorney for the applicant was present. Mr. Fleharty addressed some of the concerns of the Commissioners. He explained his client is in escrow on the two parcels to the West which is currently owned by Crain, escrow is scheduled to close on July 21, 2008. Mr. Fleharty explained the last 3 conditions were attached to cover the litter concerns. Mr. Fleharty requested the Commissioners approve the revised Use Permit at today's meeting.

Commissioner Jones stated his question is that when the numbers are firmed up and we know exactly what the numbers are, are we still going to get a report next month on a permit we are approving today and change the tonnage again at that time if the numbers are in reality more than the 800 tons.

Mr. Fleharty stated he understands the concern; however the numbers they are going to see is that the 400 ton limit has not been exceeded under this Use Permit. He explained that since they are under the gun with escrow, he would propose they approve the request for 800 tons today and if it turns out the applicant is going to need to increase the tonnage; they will come back to the Commission and increase the tonnage after they have purchased the property. At that time the traffic issues can be dealt with if necessary.

Commissioner Jones stated he just wants to make sure that we are doing things correctly as far as the neighbors and the fact we are doing a good job for the citizens of Tehama County.

Mr. Robson explained that if the Commission approves the 800 tons and if the escrow does not go through and the adjacent property is not purchased then the current location would be approved for the 800 ton limit.

Chairperson Walker closed the public hearing.

Commissioner Turri asked how long ago the traffic study was completed.

Mr. Antone stated the traffic study was done in 2005. He explained that recently his department visited the site and the traffic has not substantially changed. He stated his department is satisfied with the conditions on the Use Permit and he is comfortable with the current traffic counts.

Commissioner Jones reiterated that he wants to make sure that its still open for negotiations, if data plays out that their site needs 1200 tons instead of 800, it is at that point the County be able to go back to the ownership and enforce the fact that we need a turn lane.

Mr. Robson stated that discovery of a violation of the conditions of the Use Permit would require negotiating the cure to the violation, which allows the Commission to further condition a Use Permit that has been approved. If it is yet determined to be in violation because of the exceeding of the maximum of tonnages, there would be a revocation process. However the county prefers to cure the violation prior to revocation of the Use Permit.

Commissioner Turri stated he is not comfortable with approving the Revised Use Permit since the staff does not have all the reports and the Commission has not reviewed them.

**A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 3:1:1, with Commissioner Turri voting no, to find that an Initial Study has been prepared, a Negative Declaration filed and circulated through the CEQA process, and all comments have been responded to and that the Negative Declaration meets the requirements of CEQA and its Guidelines.**

**A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 2:2:1, with Commissioners Turri and Walker voting no, to adopt the Sub-findings and Findings as presented in the Revised Use Permit #04-35 Staff Report.**

**It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 2:2:1, with Commissioners Turri and Walker voting no, to make the above noted, or similar, findings and approve Revised Use Permit 04-35, subject to the 25 conditions including the three (3) additional conditions recommended by the Tehama County Planning Department to remedy the problem with litter.**

**It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to continue and reopen the public hearing on Use Permit #04-35 to the May 15, 2008.**

**USE PERMIT #08-01, ASPEN EXPLORATION  
(DAWN E. BRENNER TRUSTEE ETAL, SURFACE OWNER).**

TO ESTABLISH A NATURAL GAS WELL, JOHNSON UNIT #13, FOR PRODUCTION PURPOSES IN A UA-AP; UPLAND AGRICULTURAL – AGRICULTURAL PRESERVE ZONING DISTRICT . THE WELL SITE IS LOCATED SW OF CORNING, APPROXIMATELY 1,525 FEET NORTH OF THE TEHAMA/GLENN COUNTY LINE, APPROXIMATELY 1,525' NORTH AND 2,300' EAST OF THE SW CORNER OF SECTION 31, TOWNSHIP 23N., RANGE 3W., M.D. B. & M. APN: 89-310-10. APPROXIMATELY 404.50 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project and location.

Chairperson Walker complemented staff with the new color maps included in the Staff Reports.

Commissioner Jones asked if there was any correspondence received.

Mr. Robson stated there has not been any correspondence received on this project.

Chairperson Walker called for public comments. None were received.

Chairperson Walker closed the public hearing.

**It was moved by Commissioner Turri, seconded by Commissioner Jones and carried by a 4:0:1 vote of the Tehama County Planning Commission to approve the Negative Declaration filed and circulated through the CEQA process for Use Permit #08-01.**

**It was then moved by Commissioner Turri, seconded by Commissioner Jones and carried by a 4:0:1 vote of the Tehama County Planning Commission to adopt the following Subfindings and Findings for Use Permit #08-01:**

**Subfinding #1**

The applicant proposes to establish a natural gas well Johnson Unit #13, for production purposes in a UA-AP; Upland Agricultural – Agricultural Preserve Zoning District, in an area primarily used for grazing and is surrounded by parcels varying in size from 10.0 to 300 acres.

**Subfinding #2**

There are no units within one thousand feet of the proposed well site.

**Finding #1**

That the location; size, design and operating characteristics of the natural gas well will be compatible with, and will not adversely affect or be materially detrimental to adjacent

uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

**Subfinding #3**

The Tehama County General Plan designates the site as Grazing. Upon the application and approval of a use permit a natural gas well is permitted in said designation.

**Finding #2**

That the impacts as described in Finding #1, and the location of the proposed use are consistent with the Tehama County General Plan.

**Subfinding #4**

The applicant intends to establish a natural gas well at the site. Hence, the natural gas well will contribute to the production of natural gas thereby reducing the nation's reliance on foreign fuel sources.

**Finding #3**

That the natural gas well, at its proposed location, will provide a service to the community and the nation.

**It was then moved by Commissioner Turri, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit #08-01 subject to the following conditions:**

<b><u>CONDITIONS OF APPROVAL FOR UP#08-01</u></b>
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**Condition #1**

**Tehama County Planning Department**

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

**Condition #2**

**State of California, Dept. of Fish & Game**

FISH & GAME ENVIRONMENTAL FILING FEE. Pursuant to Fish & Game Code Section 711.4 and California Code of Regulations (CCR) Title 14, Section 753.5, all environmental filing fees shall be paid prior to recordation of the final map.

**Condition #3**

**Tehama County Planning Dept.**

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated January 7, 2008.

**Condition #4**

**Tehama County Planning Dept.**

VEGETATION REHABILITATION FENCING. The applicant shall use Best Management Practices for the re-vegetation of the disturbed portions of the project site including erecting a fence (minimum 3 wire electric fence or a 4 wire barb wire fence to prevent cattle from entering the rehabilitation area for as long as necessary to promote vegetative growth.

**Condition #5**

**Tehama County Planning Dept.**

LUBRICATION OIL CONTAINMENT. The compressor, lubrication storage tank and associated equipment shall have containment with sufficient volume to contain the entire volume of the storage tank and be placed under permanent cover.

**Condition #6**

**Tehama County Planning Dept.**

FUEL CONTAINMENT. Fuel storage tanks for gas or diesel engines shall include appropriate containment and shall be placed under permanent cover.

**Condition #7**

**Tehama County Planning Dept.**

TEMPORARY FENCING. During the drilling phase of the project, the applicant shall provide temporary fencing of a minimum 3 wire electric fence or a 4 wire barb wire fence around the project site to prevent cattle from entering.

**Condition # 8**

**Tehama County Air Pollution Control District**

AUTHORITY TO CONSTRUCT #1. An Authority to Construct **prior** to operation of a drilling rig for each of the stationary internal combustion engines used; or a Portable Equipment Registration Program Permit issued by the California Air Resources Board must accompany each emission device and the District shall be notified of the operation no later than three (3) days after commencement of drilling activities.

**Condition # 9**

**Tehama County Air Pollution Control District**

AUTHORITY TO CONSTRUCT #2. After drilling the well, if natural gas is found and will be processed at the site, the applicant must apply for and receive an Authority to Construct from the TCAPCD **prior to actual installation and operation** of a Glycol Dehydrator, Heater/Separator or any compressor unit driven by a stationary internal combustion engine.

**Condition # 10**

**Tehama County Environmental Health Agency**

STEEL STORAGE TANK. Use of Steel Storage Tank is required to retain all wastewater resulting from the well drilling. The Steel Storage Tank is to be removed upon completion of drilling.

**Condition # 11**

**Tehama County Environmental Health Agency**

HAZARDOUS WASTES. The handling or disposal of toxic or hazardous wastes associated with the drilling operation shall be properly disposed of in accordance with California State Law.

**Condition # 12**

**Tehama County Environmental Health Agency**

HAZARDOUS MATERIAL STORAGE. All hazardous material storage shall comply with the standards contained in the 1985, or most recently adopted, edition of the Uniform Fire Code, Article 80, titled "Hazardous Materials".

**Condition # 13**

**Tehama County Environmental Health Agency**

SOLID WASTE. Solid wastes shall be properly stored and disposed of weekly at a permitted landfill.

**Condition # 14**

**Tehama County Environmental Health Agency**

SEPTIC TANK PUMPER. The portable toilet pumper must be registered by the Tehama County Department of Environmental Health. The name of the pumper shall be submitted to the Department of Environmental Health prior to the beginning of drilling operations.

**Condition # 15**

**Tehama County Environmental Health Agency**

HAZARDOUS MATERIALS QUESTIONNAIRE. Applicant must submit a signed Hazardous Materials general information questionnaire to the Department of Environmental health (questionnaire can be obtained from the same).

**Condition # 16**

**Tehama County Environmental Health Agency**

EMERGENCY RESPONSE PLAN. If business handles hazardous materials above threshold quantities, business emergency response plan and inventory shall be submitted to the Department of Environmental Health at least 30 days prior to commencing operations.

**Condition # 17**

**Tehama County Environmental Health Agency**

ENVIRONMENTAL HEALTH INSPECTION. The applicant shall contact the Tehama County Department of Environmental Health to have the site inspected by personnel from that Department prior to the commencement of the drilling operation. Once the drilling is completed this Department shall be contacted to re-inspect the site. Natural gas production will not be allowed until this Department has conducted a final inspection of the site.

**Condition #18**

**Tehama County Cooperative Fire Protection**

EMERGENCY ACCESS. Fire/emergency road access shall be constructed and kept open to emergency traffic at all times. Construction shall meet or exceed Article II of Tehama County Code, Chapter 9.14, Sections 9.14.020 through 9.14.029 and shall be approved prior to installation of drilling equipment.

**Condition #19**

**Tehama County Cooperative Fire Protection**

DISPOSAL. As required by Article V of Tehama County Ordinance 1537, Section 9.14.027: disposal (including chipping, burying, burning, or removal to a landfill site approved by the local jurisdiction) of flammable vegetation and fuels caused by site development and/or construction; road and/or driveway construction; and fuel modification shall be completed prior to Tehama County Fire Department approval of fire road access construction.

**Condition #20**

**Tehama County Cooperative Fire Protection**

CLEARING. The drilling site and all vehicle-parking areas shall be cleared of all flammable fuels.

**Condition #21**

**Tehama County Cooperative Fire Protection**

FIRE BREAK. During fire season a 20' wide firebreak, free of flammable material, shall be maintained around the perimeter of drilling, parking and storage sites. This may be accomplished by disking.

**Condition #22**

**Tehama County Cooperative Fire Protection**

PRC COMPLIANCE. All operations and equipment on the job site shall conform to Public Resource Code Sections 4427, 4442, and 4443. *(Compliance with these sections of the California Public Resources Code is required at all times regardless of a parcel's zoning designation.)*

**Condition #23**

**Tehama County Cooperative Fire Protection**

FLARING. Prior to "flaring" a natural gas well, the applicant must notify the Tehama County Fire Department. Weather conditions may require fire department approval prior to "flaring."

**Condition #24**

**Tehama County Cooperative Fire Protection**

PLACARD. Any established well site shall have a permanently posted placard displaying a well site identification number and an emergency contact phone number. Size of letters, numbers and symbols for the placard shall be a minimum 3-inch letter height, 3/8 inch stroke, reflectorized and contrasting with the background color of the placard. The placard must be visible when approaching the well site from the required road access and shall be maintained throughout the productive life of the well.

**Condition #25**

**Northeast Center of the Calif. Historical Resources Information System**

CULTURAL RESOURCES. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues. Such measures could include (but would not be limited to) researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

**Condition #26**

**Tehama County Cooperative Fire Protection**

- A. NOISE. After construction the noise levels created by well operation shall not exceed the desirable maximum as stated in the Tehama County General Plan Noise Element of 60 dB (A) ( pg. 34., Land Use Category "A"; Design Noise Level -L<sub>10</sub> (Exterior): 60 dB(A))
- B. Verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line along Capay Road shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the installation and operation of gas well compressor.
- C. Should the noise level exceed the standards set in the Tehama County General Plan Noise Element, noise attenuation methods shall be implemented to bring noise source into compliance.
- D. Should noise attenuation need to be implemented, verification that the noise level does not exceed Land Use Classification Standards of the Tehama County General Plan Noise Element at the property line shall be prepared by a certified Audiologist and submitted to the Tehama County Planning Department within 30 days of the implementation of noise attenuation method.

**Condition #27**

ENCROACHMENT PERMIT. Developer shall obtain an Encroachment Permit from the Glenn County Public Works Department for all roads which provide ingress and egress to drilling operations that inevitably access a County maintained road. The Developer shall obtain an Encroachment Permit from the Glenn County Public Works Department for private drive access at Road 3. Encroachment shall be constructed and approved prior to commencement of any exploration drilling.

**USE PERMIT #08-3, JAMES & JULIE STACY.**

TO ESTABLISH A SECOND RESIDENCE AS A "CARETAKER RESIDENCE" IN AN EA-AP, EXCLUSIVE AGRICULTURAL – AGRICULTURAL PRESERVE ZONING DISTRICT. THE PARCEL IS 20 ACRES IN SIZE AND LOCATED WEST OF RED BLUFF ALONG THE EAST SIDE OF RIDGE RD. APPROXIMATELY 200 FEET SOUTH OF THE RIDGE RD. / ALTA VISTA DR. INTERSECTION. DESCRIBED AS A PORTION OF THE SOUTH ½ OF SECTION 34, T. 27 N., R. 4 W., M.D.M. APN: 24-230-08.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project, location and reason for the second resident request.

Mr. Robson stated there has not been any correspondence received.

Chairperson Walker called for public comments. None were received.

Mr. Robson explained the soils map in the Staff Report was in error and a new soil map was handed out prior to today's meeting.

**It was moved by Commissioner David, seconded by Commissioner Turri and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt Subfinding and Finding #1 as that Use Permit #08-03 is exempt from CEQA pursuant to Class 3 – Section 15303 as follows:**

**Subfinding #1**

The applicant's proposes to establish a Caretaker Residence in an EA-AP, Exclusive Agricultural-Agricultural Preserve Zoning District. The project site is adjacent to Ridgeway Park and across the street from a residential subdivision known as Mira Monte Estates.

**Finding #1**

That the location, size, design and operating characteristics of the residence will be compatible with, and will not adversely affect or be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic, and the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

**It was then moved by Commissioner David, seconded by Commissioner Turri and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Subfindings and Findings:**

**Subfinding #2**

The Tehama County General Plan designates the site as Rural Large Lot. The property was placed under a Land Use Contract (Williamson Act) in 1970 prior to this General Plan designation that was established in 1983. A Rural Large Lot Land Use designation allows the establishment of a single family residence per a 10 acre parcel. Use Permit 08-3 would allow 2 single family residences on a 20 acre parcel. Upon the application and approval of a Use

Permit the establishment of a Caretaker Residence is permitted in an Exclusive Agricultural Zoning District.

**Finding #2**

That the impacts as described in Finding #1, and the location of the proposed use and establishment of 2 single family residences on a 20 acre parcel are consistent with the Rural Large Lot Land Use Designation of the Tehama County General Plan and Exclusive Agricultural Zoning Designation.

**Subfinding #3**

The applicant's are the children of the elderly property owners (age 70 & 72) and will assist in taking care of them and maintaining the approximately 135 acres of property they own.

**Finding #3**

That the proposed residence, at its proposed location, will provide a service or facility which will contribute to the general well-being of the surrounding neighborhood or community.

**It was then moved by Commissioner David, seconded by Commissioner Turri and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit #08-03 subject to the following conditions:**

<b><u>CONDITIONS OF APPROVAL FOR UP#08-03</u></b>
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**Condition #1**

**Tehama County Planning Dept.**

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies, especially the Tehama County Building Department and the Department of Environmental Health.

**Condition #2**

**Tehama County Planning Dept.**

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated February 13, 2008.

**Condition #3**

**Tehama County Air Pollution Control District**

BURNING. No open burning shall occur on this property unless a land clearing permit is obtained from Air Pollution Control District.

**Condition #4**

**Tehama County Air Pollution Control District**

WOOD BURNING DEVICES. Only U.S. EPA Phase II certified wood burning devices are to be installed in the residence as necessary. The total emission potential from the residence shall not exceed 7.5 grams per hour from wood burning devices.

**Condition #5**

**Tehama County Cooperative Fire Protection**

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.026, 9.14.027, 9.14.030, 9.14.031.

***(Condition Amended at TAC 4-2-08)***

**Condition #6**

**Tehama County Cooperative Fire Protection**

DISPOSAL. According to Article V of Tehama County Ordinance 1537, Section 9.14.072: Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

***(Condition Amended at TAC 4-2-08)***

**Condition #7**

**Tehama County Cooperative Fire Protection**

BUILDING PERMITS. Any building permits issued for any parcel shall be conditioned upon compliance with all pertinent sections of Chapter 9.14 of the Tehama County Code as it reads at the time of permit issuance.

***(Condition Amended at TAC 4-2-08)***

**AGRICULTURAL PRESERVE ZONING #08-1, GRAZIANO & DEBRA J. LUCCHESI.**

TO ENTER INTO A WILLIAMSON ACT LAND USE CONTRACT AND REZONE APPROXIMATELY 160 ACRES FROM UA-B:6969; UPLAND AGRICULTURAL-SPECIAL BUILDING SITE COMBINING 690,690 SQ. FT. (160 ACRE MINIMUM) TO UA-AP; UPLAND AGRICULTURAL-AGRICULTURAL PRESERVE. LOCATED APPROXIMATELY 25 MILES NORTHWEST OF RED BLUFF. DESCRIBED AS THE SOUTHEAST ONE-FOURTH (1/4) OF SECTION 22, T. 28 N., R. 8 W., M.D.M. APN: 001-210-27.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project, location and stated this parcel is currently Upland Agricultural – 160 Acre minimum parcel size.

Chairperson Walker asked about the surrounding parcels and if they were under Ag Preserve Contract.

Mr. Robson explained the surrounding zoning and noted all project applicants will be included in the Staff Reports in the future.

Chairperson Walker opened the meeting to public comments. None were received.

Chairperson Walker closed the public hearing.

Commissioner Jones stated he is concerned with subvention funds at the state level and stated that the Commissioners may wish to use caution when allowing more properties into the Ag Preserve.

**It was moved by Commissioner David, seconded by Commissioner Turri and carried by a vote of 4:0:1 of the Tehama County Planning Commission to recommend approval of Agricultural Preserve Rezone 08-1 to the Board of Supervisors.**

**REZONE #07-3 AND PARCEL MAP #07-10, DAVID AND LINDA ROLAND.**

TO REZONE APPROXIMATELY 10.44 ACRES FROM RE-A-MH-B:435; RESIDENTIAL ESTATES- SPECIAL ANIMAL RAISING COMBINING - SPECIAL MOBILEHOME COMBINING- SPECIAL BUILDING SITE(435,000 SQ. FT. , 10 AC. MINIMUM) COMBINING ZONING DISTRICT TO RE-A-MH-BZ; RESIDENTIAL ESTATES- SPECIAL ANIMAL RAISING COMBINING - SPECIAL MOBILEHOME COMBINING- SPECIAL BUILDING SITE(Z: NO FURTHER DIVISION) COMBINING ZONING DISTRICT. FURTHER, TO CREATE TWO (2) PARCELS; ONE OF APPROXIMATELY 5.0 ACRES AND ONE OF APPROXIMATELY 5.1 ACRES IN THE PROPOSED RE-A-MH-BZ; RESIDENTIAL ESTATES- SPECIAL ANIMAL RAISING COMBINING - SPECIAL MOBILEHOME COMBINING- SPECIAL BUILDING SITE(Z: NO FURTHER DIVISION) COMBINING ZONING DISTRICT. THE SITE IS LOCATED WEST OF RED BLUFF ON THE EAST SIDE OF PRAIRIE LANE APPROXIMATELY 685 FEET NORTH OF THE PRAIRIE LANE / STOLL ROAD INTERSECTION. APN: 024-050-35. APPROXIMATELY 10.44 ACRES.

Commissioner Walker opened the public hearing.

Mr. Robson explained the request for Rezone and noted the Parcel Map has been approved by the Technical Advisory Committee pending the approval of the Rezone by the Commissioners.

Mr. Robson also explained a condition was arrived at by Tehama County Fire to limit the potential parcels off Prairie Lane. The Draft General Plan is Rural Small Lot designation. He stated there was one comment letter and staff had followed up with the author to answer their concerns, after which they had no objection to the project.

Discussion followed regarding Prairie Lane being a private road with the property owner participating in any road maintenance.

Chairperson Walker opened the meeting to public comments. None were received.

**It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to recommend that the Board of Supervisors Adopts Subfinding #3 & Finding #3 as presented in the staff report pursuant to the California Environmental Quality Act (CEQA).**

Subfinding #1

The Tehama County General Plan's objectives are to promote a development pattern that, whenever possible, maximizes the use of existing public roads prior to constructing new roads.

Finding #1

The project site is located adjacent to, and will be accessed from Prairie Lane, a privately maintained road via Stoll Road, a county maintained public road.

Subfinding #2

That the property proposed for rezoning is currently classified by the Tehama County Land Use Diagram as Rural Small Lot Residential.

Finding #2

The proposed RE-A-MH-BZ; Residential Estates- Special Animal Raising Combining - Special Mobilehome Combining- Special Building Site(Z: No Further Division) Combining Zoning District is consistent with the Rural Small Lot Residential Land Use classification for the site and surrounding area.

Subfinding #3

An Initial Study has been prepared, a Mitigated Negative Declaration filed and circulated through the CEQA process.

Finding #3

The Mitigated Negative Declaration meets the requirements of CEQA and its Guidelines.

Finding #4

That the Rezoning will have no significant effect on fish and wildlife or their habitat.

Finding #5

That the Rezoning will not have a significant effect on the environment.

**It was then moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to make the above noted, or similar, findings and recommend that the Board of Supervisors adopt an ordinance approving Rezone #03-3 to rezone 10.44 acres of land that is currently classified by the Tehama County Land Use Diagram as Rural Small Lot Residential from RE-A-MH-B:435; Residential Estates-Special Animal Raising Combining - Special Mobilehome Combining- Special Building Site(435,000 sq. ft. , 10 ac. Minimum) Combining Zoning District to RE-A-MH-BZ; Residential Estates- Special Animal Raising Combining - Special Mobilehome Combining- Special Building Site(Z: No Further Division) Combining Zoning District.**

**OTHER MATTERS:**

**TRACT MAP #04-1003, ROLLING HILLS PARTNERS (REVISED CONDITION #38).**

**THE APPROVED TIME EXTENSION FOR REVISED TRACT MAP #04-1003, LOCATED NORTH OF RED BLUFF, APPROXIMATELY 1/2 MILE EAST OF I-5, AT THE SOUTHEAST CORNER OF THE KOBUNTIE COURT/PENNELEME ROAD INTERSECTION, TO CREATE 6 PARCELS; ONE PARCEL OF 10.65 ACRES, ONE PARCEL OF 7.68 ACRES, ONE PARCEL OF 6.83 ACRES, ONE PARCEL OF 29.42 ACRES, ONE PARCEL OF 8.20 ACRES AND ONE PARCEL OF 4.11 ACRES IN AN R1-A-B:435; ONE-FAMILY RESIDENTIAL-SPECIAL ANIMAL AND SPECIAL BUILDING SITE (435,000 SQ. FT. ; 10 ACRE MINIMUM) COMBINING ZONING DISTRICT AND A MINOR**

PORTION IN A PD; PLANNED DEVELOPMENT ZONING DISTRICT WAS CONDITIONED TO CREATE A " FIRE SUPPRESSION ASSESSMENT ZONE – A REVISED CONDITION HAS BEEN SUBMITTED BY TEHAMA COUNTY COOPERATIVE FIRE PROTECTION.

As noted at the beginning of the meeting, Mr. Robson explained this project is being held over to the May 15, 2008 meeting.

There being no further business, the Study Session meeting was adjourned at 10:15 a.m.

May field trip is scheduled for Thursday, May 8, 2008.

**NOTE: IN ACCORDANCE WITH SECTION 66411.1(b)(2) OF THE GOVERNMENT CODE, IT IS THE FINDING OF THE PLANNING COMMISSION FOR TEHAMA COUNTY PERTAINING TO ANY SUBDIVISION MAPS APPROVED AT THE MEETING OF APRIL 17, 2008, THE REQUIRED ON AND OFF SITE IMPROVEMENTS ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE PARCELS BEING CREATED AND THE SURROUNDING AREA AND SHALL BE COMPLETED PRIOR TO FILING THE SUBDIVISION MAP OR ASSURE COMPLETION BY EXECUTION OF A SUBDIVISION IMPROVEMENT AGREEMENT WITH IMPROVEMENT SECURITY.**

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GEORGE W. ROBSON, SECRETARY  
TEHAMA COUNTY PLANNING COMMISSION

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LINDA WALKER, CHAIRPERSON  
TEHAMA COUNTY PLANNING COMMISSION