

**TEHAMA COUNTY PLANNING COMMISSION
MINUTES OF THE
MEETING DECEMBER 20, 2007**

The Tehama County Planning Commission met in a regular session at 9:00 am. On Thursday, December 20, 2007 at the Board of Supervisors Chambers, 633 Washington Street, Red Bluff, California, with the following members present: Commissioners Toni Turri, Linda Walker, Don Jones, and Delbert David. Commissioner Kim Tipton was absent.

Chairperson Tony Turri presided. Present were Planning Director George Robson, and Recording Secretary Kellee A. Taresh.

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

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

CITIZEN'S CONCERNS:

Chairperson Turri called for public comments.

Harley North was present. He stated he was present to address his property located on Evergreen Road.

Mr. Robson stated that if his presentation was regarding the General Plan, there will be items on the agenda for District 1 which is where his property is located. The meeting will take place approximately the 2nd week of January. Mr. Robson stated he would be allowed to make general comments on that matter, it is not on today's agenda.

Mr. North stated he would wait until the January 10th Planning Commission Study Session under Citizen's Concerns.

Richard Clapp addressed the Commissioners. Mr. Clapp wished to speak about the Use Permit for InEnTec. He stated the original Use Permit was issued under false pretenses to a degree as their application indicated the facility was 100 percent pollution free. He stated he wished to be put on the January 17, 2008 Planning Commission agenda and he would show documentation of the Permit applicant and the sworn testimony whereas the President of the company admitted indeed it is not 100 percent pollution free. He explained there is a lot of misleading and incorrect information. He stated his main point today is that County Counsel will be issuing a response to a letter from Mr. Clapp handed out at the Study Session on December 13, 2007. He asked the Commissioners to take note that the original Use Permit was applied for under false pretenses and that fact should bear heavily on whatever court cases that County Counsel should site. He asked to handout a relatively new Medical Waste Management Act of 2007 pertaining to revoking permits. He stated the slab that is on the site was poured without a proper permit. He stated InEnTec poured the slab to vest in their property. He stated they have not done anything on the property for nearly two years and the

codes state “that in any case, where an inactive Use Permit is abandoned the permit will be considered null and void”. Another issue is that this facility is located on a dump site and tends to believe that a proper permit to build may not have been issued, which means they did not probably do proper compaction of the soil and property compaction test. Mr. Clapp handed out a letter that the local newspaper had written and they stated that the Calif. Resources Board requested the County Air Board do a better review of the facility and the technology, as they are concerned more of these type facilities will be coming into the state and they wish to know more. He stated he will have more information for the Commissioners at the January 17, 2008 Planning Commission Meeting.

Arthur Wylene stated his office has drafted a response to Mr. Clapp’s letter and it should be mailed out today to Mr. Clapp, the Commissioners will receive copies.

John Elko addressed the Commissioners. He stated that InEnTec was granted a Use Permit for their proposed waste disposal plant. They applied for a building permit in 2005, the building permit was not approved or finalized, they began construction with a concrete pad on the site without a permit, there was no engineering design or inspection for soil compaction at this dump site and no county building inspection of the work. Since they have not proceeding with getting the proper permit in the two years since the slab was illegally constructed, he requested the Commission follow the county codes and declare the Use Permit has been abandoned. He requested this issue be on the next Planning Commission Agenda and proceed with revoking the Use Permit.

Wilkie Talbert addressed the Commissioners. Mr. Talbert stated on June 8th the Federal Court shut down Environmental Protection Agency’s attend to exempt material from waste incinerators. The EPA had defined waste incinerator, but was ignoring applying it and there was decision by a Federal Court on June 8, 2007 that they had to enforce their decision. He handed out a copy of a Press Release. He stated the point that InEnTec’s waste disposal is an incinerator, it immediately and clearly is covered by the EPA Incinerator Rule and definition.

A lady was present and addressed the Commissioners. She stated she is concerned about the InEnTec site. She stated she had not heard that InEnTec has addressed waste water. She stated the company needs to show more of their technology and how they are going to dispose of their waste water and trash as an EIR was not required. She indicated she is concerned with the fact the company did not get a building permit for the slab that was constructed.

Chairperson Turri asked for any other comments from the public. There were none.

MINUTES OF MEETING: December 6, 2007 Planning Commission – Study Session
December 13, 2007 Planning Commission – Study Session

Commissioner Walker stated that in the Public Comments portion of the December 13, 2007 Minutes it should reflect the request by Mr. Clapp to be put on the agenda, and that it was explained to Mr. Clapp the protocol for being placed on the agenda.

Mr. Robson stated that correction would be made to the minutes.

A motion was made by Commissioner Walker, seconded by Commission David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the Minutes of both the December 6, 2007 and December 13, 2007 Planning Commission meetings with the correction to December 13, 2007 as requested by Commissioner Walker.

ELECTION OF PLANNING COMMISSION CHAIRPERSON AND VICE-CHAIRPERSON:

Chairperson Turri asked for nominations.

Commissioner David nominated Commissioner Walker as Chairperson.

A motion was made by Commissioner David, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to elect Commissioner Walker as Chairperson.

Commissioner Turri nominated Commissioner Tipton as Vice-Chairperson.

Motion died for lack of second.

Commissioner Walker stated that Commissioner David had been on the Commission longer and nominated him as Vice-Chairperson.

A motion was made by Commissioner Walker, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to elect Commissioner David as Vice-Chairperson.

PUBLIC HEARING:

USE PERMIT 07-13 EDWARD SZENDREY. TO ESTABLISH A CARETAKER UNIT IN AN UA-AP; UPLAND AGRICULTURAL – AGRICULTURAL PRESERVE ZONING DISTRICT. THE PROJECT PARCEL IS LOCATED SOUTH OF CORNING, ON THE NORTH SIDE OF VALLEY VISTA DRIVE, APPROXIMATELY 1,257' EAST OF THE VALLEY VISTA DRIVE / SOUTH 99W INTERSECTION. APN: 089-130-40. APPROXIMATELY 41.14 ACRES.

Chairperson Turri opened the public hearing.

Mr. Robson explained the project, location and reason for the requested Use Permit. Mr. Robson stated that the applicant raises horses and desires a Caretaker for the horse operation and the eucalyptus wood processing.

Chairperson Turri asked for public comments.

Mr. Szendrey was present and stated he has no questions or problems with the six conditions recommended.

Mr. Robson stated the last sentence of Condition #6 should be removed as this is a Use Permit and no final map is required.

Chairperson Turri closed the public hearing.

A motion was made by Commissioner David, seconded by Commissioner Walker and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt Subfinding and Finding #1 as presented in the staff report pursuant to the CEQA for Use Permit #07-13:

Subfinding #1

The project consists of establishing a caretaker unit for a ranch hand and family to assist in the wood processing and horse raising activities on the property.

Finding #1

U.P. # 07-13 is exempt from CEQA pursuant to Section 15303 (The project consists of construction and location of one dwelling unit).

A motion was made by Commissioner David, seconded by Commissioner Walker and carried by a vote of 4:0:1 of the Tehama County Planning Commission that Use Permit #07-13 is exempt from CEQA pursuant to Section 15303.

A motion was made by Commissioner David, seconded by Commissioner Walker and carried by a vote of 4:0:1 of the Tehama County Planning Commission adopt the Subfindings and Findings presented in the Staff Report for Use Permit #07-13:

Subfinding #1

The applicant proposes to establish a caretaker unit in a UA-AP; Upland Agricultural-Agricultural Preserve Zoning District to house a ranch hand family on a 41.14 acre parcel in an area surrounded by agricultural parcels of similar size and characteristics.

Subfinding #2

A caretaker unit may be permitted upon the securing of a use permit in a UA-AP; Upland Agricultural- Agricultural Preserve Zoning District.

Finding #1

That the location; size, design and operating characteristics of the caretaker unit 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 proposed caretaker unit will facilitate the agricultural production of the parcel by providing a dwelling for a ranch hand and family to assist in the wood processing and horse raising activities on the property.

Subfinding #4

The proposed residence is to be sited in a manner to have no significant impact on the agricultural operations.

Subfinding #5

The project will be confined to the project parcel.

Finding #2

Establishing a caretaker dwelling unit on the project parcel is consistent with Government Code Section 51238.1 (a) Williamson Act principles of compatibility.

Subfinding #6

The Tehama County General Plan designates the site as C; Cropland. Upon the application and approval of a use permit a caretaker unit is permitted in said designation.

Finding #3

That the location of the proposed use is consistent with the Tehama County General Plan.

Subfinding #7

The applicant intends to establish a caretaker unit at the site to assist in protecting the property.

Finding #4

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

A motion was made by Commissioner David, seconded by Commissioner Walker and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit #07-13 subject to the following Conditions:

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

Tehama County Air Pollution Control District

OPEN BURNING. No open burning shall occur on this property unless a land clearing permit is obtained from the District.

Condition #3

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 #4

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, and a notation to that effect shall be placed upon the final map.

Condition #5

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, and a notation to that effect shall be placed upon the final map.

Condition #6

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 PC on 12-20-07)

(TWO – YEAR TIME EXTENSION) REVISED TRACT MAP #04-1003, ROLLING HILLS PARTNERS. REVISED TRACT MAP 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. THE SITE IS LOCATED NORTH OF RED BLUFF, APPROXIMATELY 2 MILE EAST OF I-5, AT THE SOUTHEAST CORNER OF THE KOBUNTIE COURT/PENNELEME ROAD INTERSECTION. APN'S: 9-520-11. APPROXIMATELY 66.89 ACRES.

Chairperson Turri opened the public hearing.

Mr. Robson explained the request for the two year time extension and explained the addition of Condition #38 addressing the Fire Suppression Zone.

Mr. Robson explained the discrepancy in the project description and indicated there is a corrected map on the project.

Chairperson Turri opened the meeting to public comments.

Richard Clapp was present and stated that staff is ignoring the 10 acre minimum zoning and stated his concerns.

Commissioner Jones explained “clustering” and “density averaging” and the terrain of this property.

Chairperson Turri closed public comment period.

A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt Subfinding & Finding #1 as presented in the staff report pursuant to the California Environmental Quality Act (CEQA):

Subfinding #1

The Time Extension for Revised Tract Map #04-1003, Rolling Hills Partners, is not substantially different from the previously approved project.

Finding #1

The Mitigated Negative Declaration adopted for Revised Tract Map #04-1003, Rolling Hills Partners, provides for an end use of the project site which is the same end use that is being proposed by the Time Extension. Therefore, Revised Tract Map #04-1003 is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Negative Declaration for the project)

A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission determining that Revised Tract Map #04-1003 is exempt from CEQA pursuant to Section 15162(a)(b). (Previously adopted Mitigated Negative Declaration for the project).

A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Subfindings and Findings presented for Revised Tract Map #04-1003:

Subfinding #1

Revised Tract Map #04-1003 proposes 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. APN=s: 9-520-11. Approximately 66.89 acres. The project is located in an area that is designated by the Tehama County General Plan as Rural Large Lot which requires a maximum density of no more than one family unit per ten acres.

Finding #1

Revised Tract Map #04-1003 is consistent with the Rural Large Lot classification of the Tehama County General Plan.

Subfinding #2

Revised Tract Map #04-1003 is subject to conditions that direct the design and improvements of the subdivision to meet the requirements of the Tehama County Land Division Standards.

Finding #2

That the design and improvements of Revised Tract Map #04-1003 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Revised Tract Map #04-1003 is in an area of moderate slopes. The site does not present any physical difficulties for development.

Finding #3

The site of Revised Tract Map #04-1003 is physically suitable for the type of development proposed.

Subfinding #4

The site is in an area known to have a adequate source of groundwater for domestic use. The site also exhibits the appropriate soil characteristics to support septic systems.

Finding #4

That the site is physically suitable for the proposed density of development.

Subfinding #5

The site is in an area developed with parcels of similar size and residential uses and the project is subject to conditions and/or mitigation measures and development standards designed to protect the environment and any special habitats on site.

Finding #5

That the design of Revised Tract Map #04-1003 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Subfinding #6

A soil profile has been completed by the applicant's engineer providing ample evidence that the soils in the area are capable of providing adequate sewage disposal.

Finding #6

The development of Revised Tract Map #04-1003 is not likely to cause serious public health problems.

Subfinding #7

Some of the proposed parcels will be served by private cul-de-sac roads constructed by the developer. These roads will be located outside the existing Kobbuntie Court and Penneleme Road and utility easements and there are no other easements through the parcel.

Finding #7

That the design of Revised Tract Map #04-1003 or type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the subdivision.

A motion was made 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 two-year Time Extension for Revised Tract Map #04-1003 subject to the following conditions approved by the Technical Advisory Committee on December 5, 2007:

Condition # 1.

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.

SOILS. A soils study report including **ALL** information specified in Section VI, B; of the Land Division Standards shall be submitted by a registered geologist, engineer or environmental health specialist. Percolation test results shall be submitted on forms provided by the Department of Environmental Health.

Condition # 3.

SEPTIC SYSTEMS. Septic system(s) location(s) and expansion for **ALL** existing structures (wells, houses, driveways, garages, etc.), shall be delineated on each lot.

Condition # 4.

SEWAGE DISPOSAL. The face of each additional informational map shall be annotated: "An on-site sewage disposal system shall be located only within the disposal area indicated for each parcel. Alternative sites for sewage disposal may be allowed upon application and approval of an on-site sewage disposal permit issued by the Department of Environmental Health".

Condition # 5.

WATER AVAILABILITY. A statement of water availability as per Section VII, B., 1., a). Of the Land Division Standards shall be submitted to the Department of Environmental Health.

Condition #6.

WELL SITES. Well sites shall be shown on each lot and recorded with the map as an additional informational map sheet.

Condition #7.

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 #8.

SETBACK. All parcels shall be laid out to allow setback for structure defensible space in accordance with Tehama County Ordinance 1537, Article V, Section 9.14.071 (a) "All parcels 1 acre and larger within the SRA shall provide a minimum 30' foot setback for buildings and accessory buildings from all property lines and/or the center of a road".

Condition #9.

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 #10.

VEHICULAR ACCESS. Any roadway (including private) which provides vehicular access to more than one parcel or access to a single parcel with more than two buildings or four or more dwelling units, shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.021, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.027, 9.14.028, 9.14.029. TCFD shall approve construction prior to final approval of road construction by road department.

Note: A locked gate currently blocks the "Emergency Access" road on Kobbuntie Court. The gate must be permanently removed from the "Emergency Access" road, otherwise the proposed dead end road does not meet the requirements of Section 9.14.029 Dead End Roads of Tehama County Ordinance 1537.

Condition #11.

ROAD SIGNS. Signing of roads (including private) shall meet or exceed Article III of Tehama County Ordinance 1537, Sections 9.14.040, 9.14.041, 9.14.042, 9.14.043, 9.14.044, 9.14.044, 9.14.045, 9.14.046, 9.14.047, and shall be installed prior to final acceptance by the local jurisdiction of road improvements.

Condition #12.

LAND DIVISION STANDARDS: The Developer shall comply with the following;

- A.) All the pertinent requirements of Title 16, Subdivisions, Chapters 16.04 thru 16.40 of the Tehama County Code, the Tehama County Land Division Standards, the Subdivision Map Act, as amended.
- B.) The "NOTE" pursuant to State of California Government Code §66411.1 (b) (2) per the Tehama County Technical Advisory Committee (T.A.C.) minutes.
- C.) The requirements of the Regional Water Quality Control Board regarding storm water permitting.

Condition #13.

PRIVATE ROAD IMPROVEMENT REQUIREMENTS: Prior to the recordation of the Final Map, Developer shall construct all road and storm drainage systems and related improvements for the proposed private road in accordance with the following requirements;

- A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE), to the Tehama County Public Works Department (TCPWD) that meet the following;
 - 1.) Improvement plans for the proposed private road shall delineate roadway cross-section shown in Section III, J-1 of the Tehama County Land Division Standards.
 - 2.) Improvement plans shall be prepared in accordance with applicable sections of the CalTrans "Highway Design Manual" and Tehama County Land Division Standards, as amended. **Which includes sight distance on Private Road and Kobbuntie Court.**
 - 3.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.
 - 4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection.
 - 5.) New private road shall have a CalTrans Type "C" Road Connection.
- B.) All newly created parcels shall be subject to the requirements of the existing road maintenance association.
- C.) New street names shall be approved by the Tehama County Planning Department.
- D.) Street name signs and stop sign shall be installed per the Land Division Standards.
- E.) Developer shall provide the TCPWD with a copy of Tehama County Fire / C D F approval of above described improvements.

(Condition amended by Tehama County Public Works 10-18-07)

Condition #14.

UTILITIES. Extensions to serve the applicant will be made under existing Gas and Electric Rules 15 and 16 that are on file with the California Public Utilities Commission. Relocation or rearrangement of existing facilities will be at the applicant's expense. Extensions may require

satisfactory utility easements or right-of-way at no cost to PG&E. Applicant is responsible for satisfactory clearing of all vegetation in the route that is approved for use by PG&E.

Condition #15.

FUGITIVE DIST PERMIT. The developer shall obtain a Fugitive Dust Permit and submit a construction emission dust/control plan **prior** to the time any construction begins.

Condition #16.

OPEN BURNING. No open burning shall occur on this property unless a land clearing permit is obtained from the District.

Condition #17.

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 #18.

FUGITIVE DUST. (RHFEIR Mitigation Measure 4.6.1) The TCAPCD Rules and Regulations require the project sponsor to obtain a development permit prior to construction. As part of this permit, Fugitive Dust Rule 424 will require the contractor to implement a dust abatement program (Bovee, 1994). The following measures should be included in the program submitted to the TCAPCD:

- Sprinkle all unpaved construction areas with water at least twice per day to reduce dust emissions. Additional watering should be carried out on hot or windy days.
- Cover trucks hauling dirt, debris and other dust-generating materials on and off-site.
- Stockpiles of dirt and similar materials shall be watered to form a crust or covered with tarpaulins when not in use.
- Complete paving as soon as possible after grading to minimize surface exposure.
- Designate a person to oversee the implementation of a comprehensive dust-control program and to increase watering, and to minimize visible dust emissions.
- Limit driving speeds to 15 mph on the project site.

Condition #19.

FIREPLACES. (RHFEIR Mitigation Measure 4.6.2) Fireplaces should be the EPA-certified type, which are approximately 70 to 80 percent less polluting than standard fireplaces (EPA, 1990).

Condition #20.

RAPTOR STUDY. (RHFEIR Mitigation Measure 4.3.3) The following measures shall be completed prior to final map approval to prevent significant impacts to special status plant and animal species:

- a) Retain a professional biologist to conduct specialized biological investigations on the site and identify all nesting sites and other crucial habitat that supports sensitive raptor species.

- b) Develop a management plan based on species investigations for those sensitive raptor species found to be nesting on-site and for any special status plant and animal species identified on-site. Appropriately timed special status plant and elderberry surveys should be conducted when future project plans of all potentially impacted areas are available. If any special status plant or animal species are identified on the site, a mitigation plan shall be incorporated into the project design to avoid or reduce impacts to a less than significant level.

Condition #21.

FENCING. (RHFEIR Mitigation Measure 4.3.4) The following measure shall be completed prior to final map approval to prevent significant impacts to wildlife:

- Consult with CDFG to determine whether wildlife movement corridors will be significantly impacted. Other dedicated open space on the future project site may be strategically located to partly satisfy the need for wildlife movement corridors. As deemed appropriate by CDFG, project design may include fencing restrictions. For example, fences should be rail or non-barbed, non woven wire with a maximum height of 48 inches and a bottom rail or wire clearance of 16 inches. Perimeter fencing around open space or residential lots can be barbed except for the bottom strand, but the same height limitations should apply.

Condition #22.

OAK WOODLANDS PROTECTION. (RHFEIR Mitigation Measure 4.3.1) The following measures shall be completed prior to final map approval to prevent significant loss of oak woodlands:

- a) Retain a qualified professional arborist or registered professional forester to conduct a tree survey and to inventory and clearly mark all trees to be lost and those to be retained.
- b) Site designs should retain most of the remaining blue oaks (and digger pines), including at least one snag per five acres, that will not be located within a building envelope or roadway. Retain a mix of various ages and sizes of trees to maintain sufficient breeding stock and younger replacement trees for mature trees that die.
- c) Implement a Tree Protection Plan to minimize direct and indirect impacts to oak woodlands during construction of the proposed project. Construction guidelines in the Plan should be included as contracted tasks for affected contractors and may include measures to avoid construction work within the dripline of oaks and fencing avoided areas.
- d) Include a means to provide each new resident of the future project with a fact sheet describing the value and care of native oaks. This fact sheet should be prepared by a qualified biologist, arborist or forester. Various agencies, such as the California Division of Forestry, make such fact sheets available to the public. The fact sheet should encourage homeowners to avoid unnecessary pruning and watering, and encourage, except where a safety hazard occurs, the retention of snags (i.e., dead, standing trees), which are important habitat for many species.

It is recommended that a Homeowner's Association be formed and that its Covenants, Conditions, and Restrictions (CC&Rs) prohibit homeowners from removing any native trees that are not in a building envelope without the Homeowner's Association approval.

Condition #23.

ARCHAEOLOGICAL FIELD SURVEY. (RHFEIR Mitigation Measure 4.11.1a) To prevent the loss of yet-unidentified sites which could possess significant values for history and/or prehistory, it is necessary that the project property be subject to an intensive archaeological field survey. Prior to approval of any final subdivision maps by the County for development on the site, an intensive archaeological field survey of the entire 1,005 acre project location shall be completed by a professional archaeologist.

A full report of methodology and findings, as well as background information pertinent to interpretation of the finds shall be subsequently prepared in a timely manner. The report shall also be submitted to the Archaeological Information Center at CSU, Chico, promptly upon completion. The report shall assess the legal significance of each site and detail any further mitigation recommendations necessary for required preservation of site information and values.

Condition #24.

CULTURAL RESOURCES. (RHFEIR Mitigation Measure 4.11.1b) 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 #25.

MOSQUITO AND VECTOR CONTROL DISTRICT. (RHFEIR Mitigation Measure 4.9.1) The project site shall be annexed into the Tehama County Mosquito and Vector Control District prior to any final subdivision map approval. A fee will be assessed to each parcel to fund the necessary mosquito surveillance and control for the development.

Condition #26.

WATER SUPPLY. (RHFEIR Mitigation Measure 4.5.5) Prior to approval of any final subdivision maps at the project site, the sponsors shall demonstrate, and the County of Tehama shall confirm, that typical water supply needs of the development, within the context of planned growth, can be met with a groundwater extraction rate that does not exceed safe yield of the regional aquifer, or ensure that supplemental surface water sources (import, agricultural conversions, reuse of reclaimed water, etc.) and/or combinations of sources and conservation measures can meet the project water supply needs.

Condition #27.

WELL SPACING. (RHFEIR Mitigation Measure 4.5.6) Prior to approval of any final subdivision maps at the project site, a qualified hydrogeologist or other qualified engineer shall submit a report to the County regarding acceptable well spacing. The report shall be based on test well data for the proposed site(s) and incorporation of existing well data for existing test wells or operating wells at the time of the proposal.

Condition #28.

WATER QUALITY. (RHFEIR Mitigation Measure 4.5.7) Prior to approval of any future subdivision maps or development approvals at the project site, the sponsors shall demonstrate, and the County shall confirm, that a water supply of adequate quality for the proposed residential land uses can be met.

Condition #29.

EROSION AND SEDIMENT CONTROL. (RHFEIR Mitigation Measure 4.4.3) Final subdivision maps submitted to the County for development at the project site shall include erosion and sediment control mitigation measures that conform to Chapter 70 of the Uniform Building Code, as well as any Tehama County grading ordinances that may be adopted in the future. Locally pertinent erosion and sediment control measures also are available from the field offices of the SCS and Agricultural Soil Conservation and Stabilization Service.

Mitigation measures to control soil erosion, sedimentation, and ground instability due to construction should include, but are not limited to the following:

- Private access roads and driveways shall be limited, as much as is possible within constraints for fire access, to the existing roadways. Any additional roadways shall be oriented and graded to minimize topographic alteration and cut and fill slopes.
- Ground disturbing work for any road construction shall be limited to the dry season to the greatest feasible extent, and all erodible surfaces shall be protected by mulching or landscaping prior to the advent of the rainy season (Sept. to March).
- If construction operations occur during rainy periods, use of erosion control measures, such as straw-bale dikes, gravel filters, stabilized construction entrances and sediment traps shall be required. All accumulated sediment shall be properly stabilized, revegetated, or disposed of at the conclusion of construction.
- Cut and fill slopes and drainage structures should be protected from direct exposure to water runoff. Cut or fill slopes and their drainage facilities shall be designed to Uniform Building Code guidelines and standards and, in general, should be no steeper than 2:1 (horizontal to vertical) unless authorized by a civil engineer. Slope angles shall be designed to conform to the competence of the

material into which they are excavated, and cut slope angles shall be approved by an engineering geologist, geotechnical engineer, or civil engineer.

- Drainage facilities shall be lined as necessary to prevent erosion of site soils. Erosion may increase due to site construction activities, particularly in view of the silty soil conditions. However, a detailed geotechnical investigation shall be performed to determine specific site characteristics prior to construction of roadways, buildings, or other improvements (see MM 4.4.1). A civil engineer shall be involved during the construction phase(s) to assure that recommendations are implemented or modified as necessary.
- Rainfall shall be collected and channeled into an appropriate collection system designed to receive the runoff, minimize erosion and sedimentation, and convey the runoff in a manner that does not result in off-site impacts (such as erosion, sedimentation, flooding, or water quality effects). Conduits intended to convey drainage water shall be protected with energy dissipating devices, as appropriate, and where deemed necessary by the Geotechnical Engineer or erosion control specialist, lined with an impermeable, impact resistant material.

Condition #30.

STORMWATER POLLUTION PROTECTION PLAN. (RHFEIR Mitigation Measure 4.5.1b)
Final subdivision maps that include on-site grading shall include a stormwater pollution protection plan(s) (SWPPP) which includes erosion and sedimentation control measures. The specific measures to be implemented are subject to approval of the County and the CVRWQCB. The plans shall include, but are not limited to, measures such as:

- Native vegetation shall be retained, protected, and supplemented wherever possible. Exposure of soil areas shall be limited to the immediate area required for construction operations. The native vegetative ground cover shall not be destroyed, removed or disturbed more than 15 days prior to grading unless otherwise approved by the County engineer.
- No equipment or vehicles should disturb natural drainageways or channels without proper temporary or permanent culverts in place.
- Limit excavation and grading activities to the dry season (April to Oct.). This will reduce the chance of intense rainfall and erosive surface runoff, as well as the potential for saturation in swale areas.
- If excavation occurs during the rainy season, storm runoff should be regulated by temporary on-site detention basins with multiple discharge points to natural drainageways. If work is stopped due to rains, a positive grading away from the slopes should be provided to carry the surface runoff to areas where flow can be controlled, such as the temporary detention basins.

- Temporary erosion control measures (such as silt fences, staked straw bales, etc.) should be employed at the base of disturbed slopes until revegetation is established.
- No disturbed surface or soil should be left standing through a winter season without erosion control measures (such as revegetation of exposed slopes).
- Sediment shall be retained on-site by a system of sediment basins, traps or other similar measures (selected measures must be installed prior to extensive clearing and grading operations). Any trapped sediment should be reused or removed to an approved disposal site.
- After completion of slope grading, erosion protection should be provided and must include slope planting preferably with light-weight plants, deep-rooted for steep slopes, on the exposed surface of the graded slopes. Revegetation should be facilitated by mulching, hydroseeding or other methods, and should be initiated no more than 60 days after completion of grading.
- Employ energy dissipators where drainage outlets discharge on erodible soil or into natural drainageways. Temporary dissipators may be used for temporary storm runoff outlets during construction phase, permanent dissipators should be included for permanent outlets, unless the erosion and control plan indicates the conditions that render it unnecessary (subject to the approval of the County Department of Public Works).
- All construction phase contractors should provide a spill prevention and countermeasure plan describing measures to insure proper collection and disposal of all pollutants handled or produced on the Plan area site during construction, including sanitary wastes, cement, and petroleum products.
- Provide temporary erosion control vegetation, such as annual grasses, to be seeded on all cut and fill slopes prior to the onset of the rainy season.

Condition #31.

DRAINAGE PLANS. (RHFEIR Mitigation Measure 4.5.2) Final subdivision maps submitted for development at the project site shall include detailed drainage plans for evaluation and approval by the County and the CA CVRWQCB. The drainage plans shall include characterization of existing site drainage patterns and estimates of runoff from the site during an appropriate storm event return interval (10-year and 100-year), projected drainage patterns and runoff conditions of the project at buildout, and a detailed plan to collect and control storm runoff to prevent on-site and off-site impacts.

Additional engineering reports and/or hydrologic modeling will be needed to estimate runoff volumes and flood hydrographs for specific designs. Detention basin(s) may be needed to accommodate storm runoff from design storms. If so, a basin management plan shall be

developed to ensure adequate storage volume over the life of the project, given possible accumulation of sediment and vegetative reduction of capacity over time.

Condition #32.

WATER QUALITY CONTROL PLAN. (RHFEIR Mitigation Measure 4.5.3) Final subdivision maps submitted for development at the project site shall include a water quality control plan for the construction and operational phases of the proposed project for review by the County. The plan should include Best Management Practices (BMPs) to minimize and control the level of pollutants in stormwater runoff, and in runoff released to off-site receiving waters. Specific techniques shall include, but are not limited to:

- Design and construct parking lots and other paved areas so as much runoff as possible is directed towards "greenstrip" areas where it can be decontaminated naturally. Such vegetative filter strips should use grasses and legumes (not shrubs) to help control sediment and water quality under sheet flow conditions.
- Equip storm drain inlets with silt and grease traps to remove oil, debris and other suspended pollutants.
- Minimize the use of fertilizers and pesticides.

Condition #33.

SEWAGE DISPOSAL SYSTEMS. (RHFEIR Mitigation Measure 4.5.8c) The County's policy of requiring a preliminary analysis of the capacity of each residential lot to accommodate on-site disposal and to identify a back-up leaching system location on each lot shall be rigorously enforced. Soil tests shall be conducted on each proposed lot to determine suitability for conventional septic tank. Primary and back-up leach field locations must be noted on all final maps.

If any lot will not accommodate a conventional septic tank and leach field system, the applicant and/or potential homeowner may, at the direction of the County, consider alternatives as provided by Tehama County Board of Supervisors Resolution No. 68-1993. This resolution reads as follows:

The creation of parcels based upon alternative or engineered sewage disposal systems may be approved, provided these systems are based on known design criteria that is accepted statewide. Engineered alternative systems that are currently accepted statewide are sand filter systems, mound systems, and covered evapotranspiration systems (E.T.). Seepage pits shall be reviewed by the California Regional Water Quality Control Board - Central Valley Region, Shasta Cascade Watershed Branch Office, Redding, who shall promulgate conditions for approval.

Condition #34.

WASTEWATER TREATMENT. (RHFEIR Mitigation Measure 4.8.5) Prior to approval of any final subdivision maps at the project site, the project sponsor shall demonstrate that typically the septic wastewater treatment requirements of the project can be met safely as required by Mitigation Measure 4.5.8.

Condition #35.

DETAILED DRAINAGE PLANS. (Mitigation Measure 4.5.2) Final subdivision maps submitted for development at the project site shall include detailed drainage plans for evaluation and approval by the County and the CVRWQCB. The drainage plans shall include characterization of existing site drainage patterns and estimates of runoff from the site during an appropriate storm event return interval (10-year and 100-year), projected drainage patterns and runoff conditions of the project at buildout, and a detailed plan to collect and control storm runoff to prevent on-site and off-site impacts.

Additional engineering reports and/or hydrologic modeling will be needed to estimate runoff volumes and flood hydrographs for specific designs. Detention basin(s) may be needed to accommodate storm runoff from design storms. If so, a basin management plan shall be developed to ensure adequate storage volume over the life of the project, given possible accumulation of sediment and vegetative reduction of capacity over time.

Condition #36.

RECORD CLUSTER DOCUMENT. The County shall cause to be recorded a Cluster Document prohibiting further division of the 29.42 acre parcel (Lot 4).

Condition #37

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, and a notation to that effect shall be placed upon the final map. **(Condition Added by Tehama County Cooperative Fire Protection 10-31-07)**

Condition #38

Tehama County Planning Department/Tehama County Cooperative Fire Protection

The developer shall fund the establishment, through the Board of Supervisors, of a "Fire Suppression Assessment Zone" under Government Code Section 50078.5 (or other comparable assessment mechanism). This shall include preparation of any necessary Engineer's Report, and performance of any related study, in coordination with the Tehama County Fire Department and the California Department of Forestry and Fire Protection, and preparation of any other necessary documentation such as notices, ballots, resolutions, etc. The Zone shall encompass the entire approximate (*) acres of the (*) Project as described in Tentative Tract Map #04-1003 and associated environmental documentation. The Board of Supervisors will set the assessment at a level sufficient to provide for the project's fair share cost of obtaining, furnishing, operating, and maintaining fire suppression equipment and apparatus and the fair share cost of paying the salaries and benefits of firefighting personnel of the Tehama County Fire Department Station(s) that provide(s) service to the project. The project proponent/developer shall cast an affirmative vote or ballot in favor of establishment at any election, ballot proceeding, or public hearing upon the establishment of the Zone, which shall be in place prior to recordation of the final map for this subdivision. The developer shall be reimbursed the full amount of costs incurred for the preparation of the necessary Engineer's Report from the assessment proceeds, to the extent permitted by law.

(Condition Added at TAC 12-4-07)

()Note: Information is forthcoming of the "Fire Suppression Assessment Zone" territory once the applicant meets with CalFire to establish the boundary lines.*

AMENDING RECLAMATION PLAN & FINANCIAL ASSURANCE FOR ENDICOTT MINE (CA MINE ID# 91-52-0033). CLIFF ENDICOTT, PROPERTY OWNER & OPERATOR. THE ENDICOTT MINE IS A VESTED MINING OPERATION THAT EXTRACTS APPROXIMATELY 50,000 CUBIC YARDS OF MATERIAL ANNUALLY. THE OPERATOR HAS SUBMITTED AN AMENDED RECLAMATION PLAN AND FINANCIAL ASSURANCE FOR THE SITE. THE OPERATION IS LOCATED SOUTHEAST OF CORNING ALONG THE EAST SIDE OF HALL RD. APPROXIMATELY 1/2 MILE SOUTH OF THE HALL RD. / SOUTH AVE. INTERSECTION. DESCRIBED AS A PORTION OF SECTION 32, T. 24 N., R. 2 W., M.D.M. APN: 91-050-35

Chairperson Turri opened the public hearing.

Mr. Robson explained the Amended Reclamation Plan and Financial Assurance for the Endicott Mine and stated this is a vested operation, it preexisted the need for Use Permits for Mining/Gravel Operations. It is not in-stream and not subject to Fish and Game in-stream operation permit. It has been with the County for many years and the courts deemed it a vested right and the operation existed and continues to exist as long as there are resources there as long as they comply with Mining and Reclamation. He stated an Amended Reclamation Plan has been processed through D.O.C. and comments have been received and responded to. The request today is to approve the Amended Reclamation Plan and Financial Assurances.

Mr. Stoufer explained that staff has been working with Mr. Endicott and his consultants on updating the Reclamation Plan and Financial Assurance. He explained staff has been working with Caltrans on the potential South Avenue off-ramp. He explained this Reclamation Plan will be the primary fill for the reconstruction of the off-ramp. An adjustment of the Financial Assurances may be necessary at that time. Mr. Stoufer explained that Financial Assurances will be brought back to the Planning Commission yearly. If it is adequate, no amendment would be necessary.

Discussion followed regarding annual extraction limits and the vested operation.

Chairperson Turri opened the meeting to public comments.

Travis Deem, Land Designers was present. He stated they had written the Financial Assurance and Reclamation Plan for the Endicott's. He explained "vested operations".

Chairperson Turri closed the public comment period.

A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Subfinding and Finding, and further move to find that amending the Reclamation Plan and Financial Assurance for the Endicott mining operation is exempt from CEQA pursuant to Section 15304, Class 4(c):

Subfinding #1

The Amended Reclamation Plan for the Endicott mine requires the use of natural material from the site to reclaim the land at the termination of mining activities.

Finding #1

Amending the Reclamation Plan for the Endicott mine is categorical exempt from CEQA pursuant to Section 15304, Class 4 (c), *Filling of earth into previously excavated land with material compatible with the natural features of the site.*

A motion was made by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Subfindings and Findings presented in the Staff Report for Amending the Reclamation Plan for the Endicott Mine:

Subfindings

1. The Endicott mine site is a vested operation and has a previously approved Reclamation Plan and Financial Assurance.
2. The Amended Reclamation Plan and Financial Assurance have been reviewed by the Department of Conservation. Comments from the Department have been responded to, or included as part of the Reclamation Plan and Financial Assurance pursuant to SMARA requirements.

Finding

The Amended Reclamation Plan and the Financial Assurance submitted by Clifford Endicott is in compliance with Chapter 13.28 of the Tehama County Code and is also in compliance with the Surface Mining and Reclamation Act and associated regulations.

A motion was made 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 Amended Reclamation Plan and Financial Assurance submitted by Clifford Endicott for his vested mining operation.

AMENDING RECLAMATION PLAN & FINANCIAL ASSURANCE FOR RED BANK CREEK MINE (CA MINE ID# 91-52-0030). TEHAMA ASPHALT PROCESSING, INC., OPERATOR LOURENCE FAMILY TRUST, PROPERTY OWNER. THE PLANNING COMMISSION PREVIOUSLY APPROVED USE PERMIT 85-8 TO ESTABLISH A COMMERCIAL GRAVEL EXTRACTION OPERATION. A NEW OPERATOR, TEHAMA ASPHALT PROCESSING, INC., WILL EXTRACT APPROXIMATELY 50,000 CUBIC YARDS OF MATERIAL ANNUALLY. THE OPERATOR HAS SUBMITTED AN AMENDED RECLAMATION PLAN AND FINANCIAL ASSURANCE FOR THE SITE. THE OPERATION IS LOCATED SOUTH OF RED BLUFF ALONG THE SOUTH SIDE OF RED BANK CREEK APPROXIMATELY ¼ MILE WEST OF RAWSON RD. DESCRIBED AS A PORTION OF SECTION 6, T. 26 N., R. 3 W., M.D.M. AND ALONG THE NORTH BOUNDARY LINE OF THE RANCHO LA BARRANCA COLORADA. APN: 35-110-6 & 8, 35-160-5 & 13

Chairperson Turri opened the public hearing.

Mr. Robson explained the amended Reclamation Plan for a Use Permit that was granted and has an annual limit of 50,000 cubic yards.

Mr. Stoufer explained this is the old Red Bluff Rock (Use Permit 85-8) to 50,000 cubic yards, located on the Lourence property, south of the Red Bluff Airport and is an "in-stream" operation. He explained a new operator has taken over Tehama Asphalt, and they were required to do an additional CEQA document for the issuance of the 1602 Streambed Alteration Agreement, the County did review the document that was adopted by Fish and Game prior to the agreement. He explained when meeting with the new operator it was decided to do an Amended Reclamation Plan because of the old standards. SMARA does require a new operator prepare a new Financial Assurance and cost estimate. This has gone through the D.O.C. for review, comments received and responded to, Financial Assurance went down for review, staff feels everything has been completed and before the Planning Commission for approval to meet full SMARA compliance.

Mr. Stoufer explained that the county keeps the old operator's Financial Assurance until the new operator does a new Financial Assurance. He explained staff does not release the old Financial Assurance until the new one is in place. He explained the old Reclamation Plan is valid with the same limitations.

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

Chairperson Turri closed the public comment period.

It was moved by Commissioner Walker, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning commission to adopt the following Subfinding & Finding, and further move to find that amending the Reclamation Plan and Financial Assurance for Use Permit 85-8 is exempt from CEQA pursuant to Section 15162(a)(b):

Subfinding #1

The Amended Reclamation Plan for Use permit 85-8 is not a substantial change from the previously approved project.

Finding #1

The Negative Declaration adopted for extraction of material pursuant to Use Permit 85-8 provides for an end use of the project site which is the same end use being proposed by the amended plan. Therefore approving the Amended Reclamation Plan and Financial Assurance is exempt from CEQA pursuant to Section 15162 (a) (b) previously adopted Negative Declaration for the project.

It was moved by Commissioner Walker, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt the following Subfindings and Findings presented in the Staff Report for amending the Reclamation Plan pursuant to Use Permit 85-8:

Subfindings

1. Use Permit 85-8 was approved by the Tehama County Planning Commission allowing the extraction of 50,000 cubic yards annually from property owned by the Lourence family within the streambed of Red Bank Creek.

2. The Reclamation Plan and Financial Assurance have been reviewed by the Department of Conservation. Comments from the Department have been responded to, or included as part of the Reclamation Plan and Financial Assurance pursuant to SMARA requirements.

Finding

The Amended Reclamation Plan and the Financial Assurance submitted by Tehama Asphalt Processing, Inc. is in compliance with Chapter 13.28 of the Tehama County Code and is also in compliance with the Surface Mining and Reclamation Act and associated regulations.

It was moved by Commissioner Walker, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the Amended Reclamation Plan and Financial Assurance submitted by Tehama Asphalt Processing, Inc. for the mining operation pursuant to Use Permit 85-8.

STUDY MATTER - PONDEROSA SKY RANCH – REMOVE MH OVERLAY

Mr. Robson explained a petition has been received from property owners in the Ponderosa Sky Ranch requesting a hearing be set for removal of the MH overlay which is the Mobilehome without age restriction. Mr. Robson stated he recommends the Planning Commission adopt a Resolution of Intention to set for public hearing to consider the removal of the MH overlay in February 2008.

It was moved by Commissioner David, seconded by Commissioner Walker and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt a Resolution of Intention to set a public hearing to consider the removal of the “MH” zoning overlay for the February 21, 2007 Planning Commission Hearing.

January Field Trip – Suggested date is January 10, 2008.

Chairperson Turri recessed the meeting at 10:10 a.m. for the Commissioners to go on their Study Session Field Trip to District 2.

WORK/STUDY SESSION: TEHAMA COUNTY DRAFT GENERAL PLAN

Chairperson Turri reconvened the meeting at 1:10 p.m. in Annex Conference Room E, 444 Oak Street, Red Bluff, CA.

Property Owner: Brown, Keith; Murdoch, Larry; Sale, Benjamin

Requesting: Rural Small Lot

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Change to 1 – change to Rural Small Lot. Consensus Reached.

Discussion: Circulation route around Urban Area, Roadway on Westside discussed. Mr. Robson stated RSL request, new General Plan is looking at Rural Large Lot. Discussion followed regarding the new Land Division Standards with 10 Acre parcels is unrealistic for road improvements. The request for 1 unit to 2 acre makes circulation financial sense. Terrain, gravel roads and potential corridor were discussed. Possibly Callahan Road.

Property Owner: Sale, Benjamin & Janice (2 Parcels)

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Stroing, Arlo

Requesting: Rural Large Lot

Planning Department Recommendation: 1 – Agree (recommend RL)

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Lindeman, Teresa

Requesting: Rural Small Lot

Planning Department Recommendation: 2 – Disagree (recommend RL)

Planning Commission Recommendation: Deny Request – Remain Rural Large Lot – Consensus Reached

Property Owner: Stroing, Arlo

Requesting: Rural Large Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Del La Cruz, Maureen & Phil

Requesting: Rural Large Lot (No RS)

Planning Department Recommendation: 4 - Disagree

Planning Commission Recommendation: Deny Request – Remain Rural Small Lot – Consensus Reached

Property Owner: Rogers, Nan

Requesting: No Rural Small Lot

Planning Department Recommendation: 4 - Disagree

Planning Commission Recommendation: Deny Request – Remain Rural Small Lot - Consensus Reached

Property Owner: Runnings, Roy

Requesting: Maintain Rural Large Lot

Planning Department Recommendation: 4 - Disagree

Planning Commission Recommendation: Deny Request – Remain Rural Small Lot – Consensus Reached

Property Owner: Brown, Keith & Hazel

Requesting: Rural Small Lot

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Deny Request – Leave Rural Large Lot – Consensus Reached

Discussion: Would create a pocket – surrounding area Rural Large Lot

Property Owner: Schmidt, C.E.

Requesting: Rural Small Lot

Planning Department Recommendation: 6C – Disagree (recommend Rural Large)

Planning Commission Recommendation: Deny Request – Recommend Rural Large Lot – Consensus Reached

Property Owner: Murdoch, Larry

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Menhenhall, Opal F. & Mendenhall, William D. & Denise L.

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Rathja, Roy C.

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: Property currently in non-renewal, should be out of Williamson Act in a couple of years. In order to prevent creating an island, it was decided to include Mendenhalls (listed above) and 3 others in the immediate area is to change all of them to Rural Small Lot (North of Plymire to Hwy 36) fill in the gaps. Even if in Williamson Act won't be affected. Everything North of Plymire will be going to Rural Small Lot.

Property Owner: Las Encinas Group LLC (South Parcels)

Requesting: Suburban

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Change to 1 – Agree to Suburban – Consensus Reached.

Discussion: Mr. Robson stated the Draft General Plan Map is in error. The parcels are Suburban and should remain Suburban (change to yellow on map). Fire Station is located across the street. Transfer of Density rights were discussed.

Commissioner Walker recused herself at 1:52 p.m. from the following 2 requests (Walker, Marshall and Linda; and Budden, Betty L. (as she owns property within 500 feet of parcel.)

Property Owner: Budden, Betty L.

Requesting: Rural Small Lot

Planning Department Recommendation: 1 – Agree (change other parcels to the east and west along Pine Creek Road).

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Walker, Marshall & Linda

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: Infill was suggested. Commissioner Jones stated the size of parcels to the West and South and with road access makes sense.

Commissioner Walker reentered the meeting at 1:56 p.m.

Property Owner: Brown, Keith & Hazel

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Property Owner: Wagner, Larry & Rebecca - SHOULD BE DISTRICT #1

Will be heard at the District 1 Study Session Meeting.

Property Owner: DiMaggio, Rosa; Shepherd, Malina; DiMaggio, Angelo; Braun, Mary

Requesting: Suburban

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Deny Request – Consensus Reached

Property Owner: Chase, William D.

Requesting: Valley Floor Agricultural

Planning Department Recommendation: 6B – Disagree (Use Township line as UA-VA line)

Planning Commission Recommendation: Deny Request – Consensus Reached

Property Owner: Avilla, Corey M. & Mark D. (See minutes of Dec. 13, 2007)

Property Owner: Gipson, Diane & Bene – Benefield Diane

Requesting: Rural Small Lot

Planning Department Recommendation: 6C – Disagree (Recommend Rural Large Lot)

Planning Commission Recommendation: Change to Valley Ag – Consensus Reached

Property Owner: Holbrook-May, Teresa; Benefield, Dianne-Gipson, Ben; Adachi, Yukio – Big T, Inc.

Requesting: Rural Large Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Change to Valley Ag – Consensus Reached

Property Owner: Bosenko, Tom

Requesting: Suburban

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Change to Rural Small Lot – Consensus Reached

Discussion: Not appropriate for Suburban, taking into consideration the Sphere of Influence, Airport and general location. The large yellow section on the map was reviewed (Coyote Creek). Mr. Robson explained the previous concept plan which gave direction as to what this could possibly be used for was 1 unit to the acre utilizing a limited amount of the acreage due to wetlands issues. Suburban densities were required to get to 1 unit to the acre. Commissioner Jones stated he believes the property is still Valley Ag and north should be Rural Small Lot. He pointed out this ties into City of Red Bluff Sphere of Influence and lot size to the North, West and to the East. Discussion regarding the infill on both sides of the road.

Conclusion: Going down to Red Bank Creek, Mendonca and Bosenko property, going West along the North side of the creek to Valley Ag. Infill on North side of creek.

Coyote Creek Subdivision: Discussion regarding the island of Suburban (shown in bright yellow on the map).

Conclusion: After lengthy discussion it was decided to Change bright yellow section of Suburban to Valley Ag. South of Ohm; West of Rawson; North of Dusty Way; East of Paskenta.

Property Owner: Arano, Margaret

Requesting: General Commercial

Planning Department Recommendation: 1 – Agree (allow Commercial with Use Permit in Residential)

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: Riverside area. Mr. Robson explained that if the zoning is a residential zone you can request a Use Permit for neighbors who stop serving commercial.

Property Owner: Barber, Nancy-Wingo, Cliff

Requesting: Suburban/Rural Small Lot

Planning Department Recommendation: 1- Agree

Planning Commission Recommendation: Remove Suburban – is Rural Small Lot – Agree with Staff Consensus Reached.

Property Owner: Rider, Joseph

Requesting: Special Planning/Commercial

Planning Department Recommendation: 5 - Disagree

Planning Commission Recommendation: Deny Request – Consensus Reached.

Discussion: Off Flores, South and West of existing General Commercial. In excess of 100 acres.

Property Owner: Young, Ila June

Requesting: Suburban/Rural Small Lot

Planning Department Recommendation: ***Staff to Research and Bring Back to Commission***

Next Study Session meeting will be reviewing District 5. Starting at 8:30 a.m. with Field Trip and Study Session immediately following.

There being no further business, the meeting was adjourned at 2:37 p.m.

GEORGE W. ROBSON, SECRETARY
TEHAMA COUNTY PLANNING COMMISSION

TONY TURRI, CHAIRPERSON
TEHAMA COUNTY PLANNING COMMISSION