

**TEHAMA COUNTY PLANNING COMMISSION  
MINUTES OF THE  
MEETING FEBRUARY 28, 2008**

The Tehama County Planning Commission met in a special session at 9:00 am. On Thursday, February 28, 2008 at the Courthouse Annex Room E, 444 Oak Street, Red Bluff, California, with the following members present: Commissioners Linda Walker, Don Jones, Tony Turri, Kim Tipton and Delbert David.

Chairperson Linda Walker presided. Present were Planning Director George Robson, Arthur Wylene, Assistant County Counsel and Recording Secretary Kellee A. Taresh.

**CITIZEN'S CONCERNS:**

Chairperson Walker called for public comments.

Charles Orwick addressed the Commissioners. Mr. Orwick is the owner of the Battle Creek Ranch on Jellys Ferry Road. He explained that he learned last week that the latest revision to the map downzones a significant portion of his property from 20 acre to Upland Ag 160 acre minimum. He stated his property is not in the Ag Preserve and has not received a tax break with a net cost of approximately \$600,000. He is concerned with the irregular boundary lines which would require a survey to establish the zoning. He is requesting leaving the zoning the way it is currently.

Bart Fleharty was present representing Harley North. Mr. Fleharty addressed the commission and handed out a request from Mr. North to change the Northwest Ag Line to put his property into the Valley Ag instead of the Upland Ag. Mr. Fleharty explained the soil class of the properties involved and referred to Exhibit 3 of his handout. Mr. North would like to request to realign the ag line so that it proceeds in a northerly direction from Luce Griswald Road along the common section line of 19 and 20 to the northwest corner of Section 20 and then proceed along the northern section line of 20 to the northeast corner then proceed northerly as currently proposed to the Shasta County line. (APN 6-030-52, 14, 51 and 53). This request would also include 2 additional 80 acre parcels to the south and one 80 acre parcel to the north, and a 25 acre parcel to the north. This proposal has been discussed with the 3 other property owners and they are in favor of the request.

Dave Ferguson addressed the Commissioners. Mr. Ferguson is a neighbor of Harley North and supports the above request as presented by Bart Fleharty.

Dave Lindsey addressed the Commissioners. Mr. Lindsey is a neighbor of Harley North and he also supports the above request as presented by Bart Fleharty.

Bert Bundy addressed the Commissioners also. Mr. Bundy expressed his appreciation of the work done by the Planning Commissioners. He asked that without the text he is not sure what has happened with El Camino area. He made a comment on the Special Planning Areas and asked the Commissioners to do one of two things; either go to the recommendation of the majority of the Advisory Committee that worked with the General Plan and go to an overlay of Rural Small

Lot instead of Suburban on the Planned Development areas, or, eliminate the overlay of any type of density on the Special Planning areas. He stated they will be considered an entitlement for any of those developers in those areas. He stated that with the overlay in place the developers will have the assurance it will be considered for a special planning area and have the ability to negotiate as far as the services provided for the densities they receive. By putting the suburban overlay as it stands at this time, Mr. Bundy feels this gives them an entitlement and it will be perceived entitlement, if not actual entitlement, for those densities which will make it difficult for the county to negotiate for the services that will be required for those densities.

Alan Abbs, Director of Solid Waste for the Tehama County Landfill addressed the Commissioners. He explained that back in October he had spoken briefly about the concept of the buffer around the landfill. He stated that at some of the previous meetings the densifying was discussed in some areas around the landfill. He stated he would like to discuss this further as the SE Quadrant of the landfill is actually in the vicinity of the Phase III area. So densifying the SE quadrant would actually significantly increase the costs of operation which also would increase the cost to the residents of the county. He explained the laws and regulations involved.

Mr. Robson explained that Mr. Abbs is staff and it can be discussed as a referral item. The Commissioners asked Mr. Robson to bring it back to the Commissioners later today to address the issue.

Mr. Gary Catlin addressed the Commissioners regarding the housing market. He stated there have been comments made in regards to the Special Planning Areas in the North part of the county, looking at the current state of the housing market, what difference does it make what is approved in the north county because the housing market is down and even if it is approved it doesn't mean people will move in, the market will determine how fast the county grows. He explained the housing market fluctuates and when it comes back we need to take a close look at it. He explained that with the potential of the retirees moving in and the leading edge of the baby boomers, there could be a large demand and fluctuation of people. He used Lincoln Calif. as an example as this is the site of Sun City Lincoln. He explained in the year 2000 the population was 11,000 and in 2006 the population was 40,000. A growth rate of 238%. He asked the Commissioners to think carefully and don't let the housing market control the growth. He asked for a more rational approach to decide what kind of growth we want to achieve and put in place systems and controls to target that growth.

Linda Pritchett asked where the maps were. Ms. Pritchett stated they are using the soil comps for the Valley Ag/Upland Ag line, by definition Valley is elevation versus upland. She explained the Ag line needs to be moved up to a higher elevation on both the East and West side of the county. This is impacting people who purchased 160 acres that will now become Upland Ag and before it was able to be 40 acre minimums which they may decide to give to their children in Trust. If the General Plan is changed they would not be able to do this and it is an imposition on the property owners that they cannot change.

Norm Gruver addressed the Commissioners and asked about Lake California, he asked if it had been taken out of the special planning mapping. He stated there are 776 acres within the complex that is to be developed, Tract 1017 needs to be distinguished as there is an area that needs to have a special fee and would like to have that designated on the maps.

Mr. Robson stated he would like to ask for a break to setup the projector to review the maps.

Chairperson Walker recessed the meeting at 9:27 a.m.

Chairperson Walker reconvened the meeting at 9:48 a.m.

**WORK/STUDY SESSION:  
TEHAMA COUNTY DRAFT GENERAL PLAN**

Chairperson Walker explained today's process.

Mr. Robson explained the format for today is to recap the maps and move on to the consultant to make final changes and then work on the changes to the policy document. The final vote on the maps will not be made until the EIR is completed. The EIR will also be ready to send to the Board of Supervisors with the document and maps in approximately July 2008. However they will ratify the consensus opinions that have been expressed to this point. There are a couple of issues and corrections to be made to the maps today.

**Hall Road/Pedan/Dale (Map #10)**

This area on the map is incorrect. This area was changed from Rural Small Lot to Rural Large Lot at the January 3, 2008 study session meeting and this change was not made on the map. (See map #10) Area East of Hall Road, South of Pedan, North of Dale.

Mr. Robson explained the maps are available on the Website and CD copies in the Planning Department.

**MAP #1**

No changes recommended on Map #1.

**MAP #2**

Mr. Robson explained that Mr. North and Mr. Fleharty were unable to stay due to other business commitments.

Mr. Robson explained the "black diamond" printed on the maps (Suburban, Special Plan overlay). This ties the policy statements together with the maps.

**Harley North Property**

Commissioner Turri asked to address Mr. North's property and request presented earlier and stated he is open to make the change as requested.

After discussion, consensus was reached to change the Northwest Ag Line to include Mr. North's property as Valley Agriculture as depicted in the Exhibit submitted earlier to follow the Section

Lines as follows: At Luce Griswold Rd/Evergreen Rd. intersection ag line would proceed north along the west side of T29N, R5W, Section 20; East along North boundary line of Section 20; then North along West side of Section 16 to the Shasta County Line.

**Sun City Tehama (South bottom corner along Hooker Creek Rd)**

The small triangle which is designated for the Fire Station should be changed to “Public Facility” not Rural Small Lot. The color will be changed.

**Bengard Property (along Shasta County Line)**

Mr. Robson stated he was to follow-up with this property as to the zoning on the Shasta County side of the property. He stated the north side has an interim habitat resource and resource management designation with resource protection zonings. Mr. Robson explained in detail the property should probably be designated some sort of residential density of special plan density as opposed to Valley Ag.

Discussion followed regarding this property is in the Williamson Act. Rural Large Lot was recommended by the Commissioners and consensus was reached to change to Rural Large Lot without any Special Planning overlay.

**I-5 at Jellys Ferry (Northeast side of intersection)**

Commissioner Tipton questioned the triangle piece designated Rural Small Lot (north of the commercial designation).

Mr. Robson indicated he would research and asked for approval to change it to Rural Large Lot if it is found this is color coded in error. Consensus was reached to change to Rural Large Lot if found to be natural resource/creek bottom and not useable lands area.

**Map #3**

**Lake California**

Commissioner David questioned Lake California (coloring) without a specific boundary. He suggested a defined boundary.

Mr. Robson explained there should not be any “cross hatching” over this area, outside of the Lake California boundary the cross hatching should be limited to that area. Mr. Robson suggested a boundary line.

Commissioner David suggested a boundary line would be helpful.

Mr. Robson stated this would be a boundary line similar to Sun City Tehama around the recorded map of Lake California. The rest of the area under the River Lakes Master Plan is under a Special Plan Designation with the underlying issues as is the part under Special Planning (unrecorded Tract issues).

### **Orwick Property**

Commissioner Tipton addressed the request of Mr. Orwick. She stated she appreciated what Mr. Orwick had to say as he did not take advantage of the tax break he could have had, had the property been in the Ag Preserve.

Mr. Robson recapped the position of the Northeast Ag Line. Mr. Orwick submitted a map with the preferred ag line drawn on it.

### **The Northeast Ag Line should be moved to the following:**

The Ag line would follow the South section line of T29N, R3W, Section 13; then north to the Southerly section line of Section 12; then West to the Southeast corner  $\frac{1}{4}$  section of Section 12; then North along the easterly  $\frac{1}{4}$  section line of Section 12; then west to easterly Section line of Section 11; the following Jelly Ferry Rd to the West to connect to the current ag line. Consensus was reached to change the line.

**NOTE:** Discussion followed regarding elevation. Commissioner David stated there should be a disclaimer in the text that it does not subject to elevation. Mr. Robson stated he would discuss this with the consultant and bring back next week.

### **Map #4 & Map #5**

No changes were made.

### **Map #6**

Commissioner Tipton asked about the south side of Antelope, the area between the Rural Small Lot and the Commercial.

Mr. Robson stated that is a map error and should be changed to Commercial. This property is currently in Ag Preserve, however it can be changed for future development (old Vestal Ranch). The size of commercial would match the 400 feet depth to match other commercial designation to the East.

### **Map #7**

Discussion was held regarding the Valley Floor Ag/EI Camino/5 Acre minimum.

Mr. Robson stated there will be policy workups next week to look at regarding the EI Camino – Valley Floor Ag, specifically identifying the EI Camino Irrigation District boundaries as the limitation of a special Valley Floor/EI Camino having a 5 acre minimum parcel size, but considered to be a 5 acre agricultural and having a strict 5 acre gross acreage minimum parcel size without access to the zoning code provision for clustering or density averaging. The policy would be written to be very straight forward.

### **Landfill Property**

Mr. Robson explained the 300 foot buffer being written into the policy for landfill and ag properties.

Alan Abbs was present and explained the potential landfill impacts and what it would mean for density in the area. He explained the only access into the landfill is off Baker and Plymire, the current limit is for 200 trips per day. They are currently undergoing a CEQA process right now as part of their 5 year review to increase vehicle trips to 225 trips per day as well as daily tonnage. He explained that on a daily basis they have to deal with odor control, dust control and blown litter. Mr. Abbs explained in detail the groundwater flow and gas migration. He also explained the water flow is from the Northwest to the Southeast of the Landfill property and the boundaries of the Phase I, II and III Landfill. The downstream contamination of groundwater will depend on the building in the area and a trust fund would have to be set up, possibly an insurance policy, or a bond to collect money into a trust fund to access. He stated he originally asked the Commission to add landfill into the buffer definition for agricultural and industrial.

Discussion followed regarding the buffer areas in other counties. He stated a lot of the counties have gone to ¼ Mile or 1,000 feet.

Commissioner David stated he felt 1,000 feet is a good buffer.

Commissioner Jones stated the potential problems will be to the South and East.

Discussion followed regarding the buffer zone on the South of East due to the groundwater flow.

Mr. Robson stated they could stay with 20 acre minimum parcels but no residential structures or residential serving wells would be allowed within 1,000 feet to the South and East borders of the landfill. Buffers to the North and West would remain at 300 feet.

It was decided to discuss with policy and sketches during policy review.

Mr. Abbs stated this was very reasonable.

### **Dunmore Property – Coyote Hills**

Consensus was to not readdress this property, stay with the Valley Ag designation.

### **Reeds Creek – Rural Small Lot**

Chairperson Walker stated the piece that extends across the creek should be reviewed by the Committee.

Chairperson Walker address the Commission as an individual, expressing that Pine Creek runs through the property and the request was on the South side of Pine Creek and not on the North side of the creek it was “filled in”.

Chairperson Walker recused herself at 11:10 a.m.

Mr. Robson explained the boundary of the original request.

Consensus was reached to change the boundary of the Rural Small Lot to exclude the property to the North of the creek.

Chairperson Walker reentered the meeting at 11:12 a.m.

### **Map #8 & Map #9**

No changes.

### **Map #10**

Mr. Robson stated the only changes was to the East Side Hall Road, discussed at the beginning of the meeting.

Commissioner Tipton referred to the Commercial on the South side of South Avenue should be Commercial to the south side of the creek (Wright piece) that would be commercial, the rest would be Rural Small Lot.

Commissioner Turri stated the town name of "Flournoy" was not printed on the map.

Scott Friend indicated it would be added.

Mr. Robson stated a "black diamond symbol" should be added to the Red Bluff Farms property to the South of the Tribal Lands (Rolling Hills Casino).

### **Capay Area**

Mr. Robson explained they would remain 40 acre zoning and would follow the Capay District area.

Commissioner David asked to designate where the 40 acre minimums would be. Possibly designate a boundary on the map.

Mr. Robson stated he would research the "Capay District" and bring it back next week.

### **Map #11**

It was noted that all County Parks, i.e., Cone Grove and Mill Creek be shown as "Public Designation".

Mr. Robson explained next week the Commission will be reviewing the Policy Document.

There being no further business, the meeting was adjourned at 11:40 a.m.

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GEORGE W. ROBSON, SECRETARY  
TEHAMA COUNTY PLANNING COMMISSION

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LINDA WALKER, CHAIRPERSON  
TEHAMA COUNTY PLANNING COMMISSION