

**TEHAMA COUNTY PLANNING COMMISSION
MINUTES OF THE
MEETING JANUARY 17, 2008**

The Tehama County Planning Commission met in a regular session at 9:00 am. On Thursday, January 17, 2008 at the Board of Supervisors Chambers, 633 Washington Street, Red Bluff, California, with the following members present: Commissioners Linda Walker, Don Jones, Kim Tipton and Delbert David. Commissioner Toni Turri was absent.

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

Chairperson Walker temporarily adjourned the Planning Commission meeting at 9:07 a.m. to open the Airport Land Use Commission meeting.

Chairperson Turri reconvened the Planning Commission meeting at 9:09 a.m.

CITIZEN'S CONCERNS:

Chairperson Walker called for public comments.

Mr. Robson explained a letter received by his office from Kathy Bonner has been given to each Commissioner.

Richard Clapp addressed the Commission and handed out a letter to each Commissioner addressed to Arthur J. Wylene, Assistant County Counsel and a letter to the Clerk addressed to the Planning Dept. requesting the InEnTec Use Permit issue be placed on the February Planning Commission Agenda.

Mr. Clapp reminded the Commissioners of the importance of the document he handed out at the last meeting and explained that InEnTec has not done any work at the location for two years and an article he quoted Mr. Robson stated they needed to do improvements on site to keep the Use Permit from becoming Null and Void. He stated that during this period the building permit also expired and an extension was not taken out which cost \$12.50. He stated he has responded to County Counsel's response letter regarding two court cases, he felt those cases supported the citizens case as it mentioned dozens of things that those cases were doing to work on their project. He stated the evidence points to the fact the Use Permit should be revoked at this point. He requested this issue be put on the agenda.

John Ohm addressed the Commissioners. Mr. Ohm explained his family has owned their property for nearly 100 years. They are entirely an agricultural family and has no outside income. He stated his concern is that one side of Paskenta Road is 160 Acre Minimums and the East Side would remain 20 and 40 acre minimums. By downzoning the property lessens their borrowing power to improve Agricultural income. They currently have prunes on the Westside of Paskenta Road. He explained that any Lender is going to call the Planning Dept. to get the zoning, and it affects the borrowing power with the equity. Currently there is cattle grazing on the property, it is designated cropland. He stated that with new technology of irrigation there are plans to develop orchards to the south of his

property and plans to possibly expand the prune orchards. In reviewing the maps the old Ag line makes more sense. This would divide his ranch in half as well as other ranches.

Larry Lalaguna addressed the Commissioners. Mr. Lalaguna handed out a map of the Jellys Ferry area showing 2 particular areas. He has a client which owns property on the West side of Jellys Ferry. He stated that according to the proposed plan it would be designated as Valley Ag, it is surrounded by higher density Rural Large Lot, Suburban and Rural Small Lots, it has created an island. He would like the Commissioners to consider Rural Large Lots in the area noted on his map handout. They are asking for the least density of the surrounding zoning that is contiguous to this property be it Rural Large Lots.

Bart Fleharty addressed the Commissioners. He stated he is representing Mrs. Helen Taffasau who owns land on the east and west side of Jellys Ferry Road. He explained at the August Public Hearing meeting, Tyler Lalaguna made a presentation concerning this property. He stated he understood the Commissioners would be taking a field trip to the location. He explained the topography of the Taffasau property and Copper Ranch Road location. He explained that in 1999 Mrs. Taffasau put the road in and due to a misunderstanding with the county was unable to develop it, however the road is completed. She would like to develop this 60 acres, as this area has been recognized by the Planners for development. This would be orderly development as it is across from the Bend Store. They would like the north side of Copper Ranch Road also be classified Rural Small Lot. He explained the ravine would be a natural buffer between residential development on the South side of the ravine and agricultural use on the north side of the ravine and on the east side of Jellys Ferry Road. Mr. Fleharty explained that Mrs. Taffasau owns the parcel on the north side of ravine as well, as well as 1700 acres on the east side of Jellys Ferry Road, immediately north of the ravine is a 103 acre parcel, the proposed General Plan bisects the 103 acre parcel, the southerly portion is RL and the northerly portion is VA (Valley Ag) which is consistent with the rest on the east side. He explained it does not make much sense to bisect a parcel and split the General Plan classification. They are asking to bring the general plan line down to the ravine and make it Valley Ag and they will give up the 40 acres of RL on that side making the ravine the buffer between the residential development to the south and the Valley Ag to the north on the east side of Jellys Ferry Road. He explained on the west side of Jellys Ferry Road Mrs. Taffasau has two parcels, the southerly parcel is immediately west and adjacent to this parcel on Copper Ranch Drive and once again the general plan line bisects the property; the south side is proposed to be RL and the north half is proposed to be Valley Ag, in regards to that parcel they are requesting the General Plan line be completely RL which is consistent with surrounding parcels. They would like the General Plan line run along the northern property line of that parcel and be recognized as RL as well as Mrs. Taffasau's larger parcel to the North. They are requested RL to eliminate pockets of Ag.

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

MINUTES OF MEETING: January 3, 2008 Planning Commission – Study Session

A motion was made by Commissioner David, seconded by Commission Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the Minutes of January 3, 2008 Planning Commission meeting as mailed.

PUBLIC HEARING:

AMENDMENT TO RECLAMATION PLAN 94-1, PINE CREEK ROCK MINING OPERATION. AMENDMENT TO RECLAMATION PLAN 94-1 AS SUBMITTED BY 7-11 MATERIALS, THE CURRENT OPERATOR OF THE PINE CREEK ROCK MINE . THE MINING OPERATION PERMITTED BY USE PERMIT 94-2 IS LOCATED IN SOUTHERN TEHAMA COUNTY ON THE SOUTH SIDE OF PINE CREEK ALONG THE TEHAMA COUNTY / BUTTE COUNTY LINE. DESCRIBED AS A PORTION OF SECTIONS 35 & 36, T. 24 N., R. 1 W., M.D.M.

Chairperson Walker opened the public hearing.

Mr. Robson explained the Commissioners had received a copy of the Staff Report and current status of the operation. Staff is recommending the matter be continued until the March 2008 Planning Commission Meeting. He explained that Staff has scheduled a meeting with the Dept. of Office and Mining, applicant and county staff members for January 28, 2008 with regards to comments to the response letter from Dept. of Conservation. There is concurrence with all parties and the meeting scheduled could resolve may issues outstanding. He explained there is a good atmosphere of cooperation occurring at this time and staff concurs the additional time to prepare a reclamation plan with responses and corrections is necessary to bring to the Commission for approval. Staff is requesting a continuance to March, however it is quite likely staff would be ready to bring it back to the Commission in February.

Commissioner David asked if the applicant will be asking approval to excavate additional material.

Mr. Robson stated they have sufficient lands to open under the last ruling by the Commission.

Chairperson Walker opened the meeting to public comments.

Stewart Altemus representing the applicant was present. Mr. Altemus urged the Commission to accept the staffs recommendations and wishes to confirm that all parties are cooperating very well at this point and expect to bring an approvable plan before the Commission by March. He stated they are asking the Commission to approve the extension.

A motion was made by Commissioner Tipton, seconded by Commissioner David to extend the approval of Amended Reclamation Plan for Reclamation Plan 94-1 to the March 20, 2008 Planning Commission Meeting.

TRACT MAP #06-1016, JOSEPH SHEETZ. TO SUBDIVIDE AN EXISTING 10.46 ACRE PARCEL AND CREATE 9 PARCELS; ONE PARCEL OF 1.00 ACRES, ONE PARCEL OF 1.03 ACRES, THREE PARCELS OF 1.05 ACRES, ONE PARCEL OF 1.08 ACRES, ONE PARCEL OF 1.11 ACRES, ONE PARCEL OF 1.13 ACRES AND ONE PARCEL OF 1.43 ACRES IN A RE-MH-B:10, RESIDENTIAL ESTATES – SPECIAL MOBILEHOME COMBINING- SPECIAL BUILDING SITE COMBINING 10,000 SQ. FT. (1/4 ACRE MINIMUM) ZONING DISTRICT. THE PROJECT IS LOCATED IN THE COMMUNITY OF LOS MOLINOS ALONG THE WEST SIDE OF SHERWOOD

BLVD. APPROXIMATELY 500 FEET NORTH OF THE SHERWOOD BLVD. / MILL RACE AVENUE INTERSECTION. APN: 078-120-46 (PORTION). 10.46 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the project and location. He explained that all parcels are one acre or larger and there was a notation regarding a previously submitted letter from Regional Water Quality Control Board that dealt with some nitrate facilities on sewage disposal systems. When the parcels are larger than one acre those conditions do not apply. Therefore Condition #30 could be removed from the Staff Report. Mr. Robson stated this project had been submitted with substantially smaller parcels and Mr. Sheetz has revised it with a parcel map, which has now been replaced with this tentative map.

Commissioner Tipton stated that Subfinding #4 refers to $\frac{1}{4}$ acre parcel density sizes and questioned Condition #13.

Mr. Robson stated that zoning would allow secondary units. He stated no more than 2 residences would be allowed per parcel and a second unit would be reviewed by Environmental Health and RWQCB for nitrate treatment requirements, if necessary.

Commissioner Walker questioned Page 22 and Page 40 of the Negative Declaration.

Mr. Robson stated these points are not applicable at this time due to the change in size of the parcels being larger than one acre. Mr. Robson stated that the discussion on the second page followup comments from Jacqueline Mathews regarding mitigation measures "since the parcels being created are larger they recommend removing the mitigation and conditions".

Commissioner Walker stated there is reference to "Lot L" and dwellings on the map.

Mr. Robson stated that Lot L has been removed on the new map. He explained the remaining lands parcel can be sold separately.

Arthur Wylene clarified that a remainder parcel is one that is not dividable for purposes of sale, lease or financing, it is the one parcel that the applicant does not intend to sell. However should they decide later to sell the property in the future they are able to do so.

Commissioner David asked if the county is now operating under the new Land Division Standards.

Mr. Brownfield, Deputy Director of Public Works was present and he stated this tentative map had been received for processing prior to the new Land Division Development Standards.

Commissioner David questioned the boundary for riparian and 100 year flood plain.

Mr. Robson stated those requirements must be complied with prior to recordation and are not always shown on the tentative map. He stated that the flood area map is usually provided in the packet, however apologized for it not being included with their staff report and CEQA documents. Discussion followed regarding the location of the "bench" on the property, riparian area, flood hazard map, building encroachment and creek bed alteration.

Mr. Robson stated staff corresponds with Dept. of Fish and Game and they have the right to respond to the project concerning these issues. He stated that the final map would include requirements necessary to address these issues.

Commissioner Tipton asked what date the New Land Division Development Standards went into effect.

Arthur Wylene explained this was addressed when the resolution for adopting the new standards. He will get a copy of the Resolution that established the date.

Discussion followed regarding the site and unusable portion of land.

Mr. Robson explained that the Commissioners can request a representative of the project be present to address and answer their concerns. Mr. Robson pointed out the tentative map indicates 2 foot contours.

Chairperson Walker opened the meeting to public comments.

None were received.

Chairperson Walker closed the public comment period.

It was moved by Commissioner Tipton, seconded by Commission David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to find that an Initial Study has been prepared, a Mitigated Negative Declaration filed and circulated through the CEQA process, and all comments have been responded to and that the Mitigated Negative Declaration meets the requirements of CEQA and its Guidelines. Clarification that Mitigation Measure referencing Condition #30 is removed and it is clear that 1 unit per acre is allowed.

It was moved by Commissioner Tipton, 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 on Tract Map #06-1016:

Subfinding #1

Tract Map #06-1016 is located in an area that is designated SR; Suburban Residential by the Tehama County General Plan. In the SR; Suburban Residential Land Use Category the minimums are 1/4 acres (Table CO-9 of the Tehama County General Plan). Tract Map #06-1016 proposes to create 9 parcels; one parcel of 1.00 acres, one parcel of 1.03 acres, three parcels of 1.05 acres, one parcel of 1.08 acres, one parcel of 1.11 acres, one parcel of 1.13 acres and one parcel of 1.43 acres in a RE-MH-B:10, Residential Estates – Special Mobilehome Combining- Special Building Site Combining 10,000 sq. ft. (1/4 acre minimum) Zoning District.

Finding #1

Tract Map #06-1016 is consistent with the SR; Suburban Residential classification of the Tehama County General Plan.

Subfinding #2

Tract Map #06-1016 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 Tract Map #06-1016 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Tract Map #06-1016 is in an area where building pads can be constructed that will not present any physical difficulties for development.

Finding #3

The site of Tract Map #06-1016 is physically suitable for the type of development proposed.

Subfinding #4

The topography of the site, and the size of the parcels for Tract Map #06-1016 will allow for the establishment of residential uses and other accessory structures not exceeding an average density of one family per 1/4 acres.

Finding #4

The site is physically suitable for the proposed density of development allowed by Table CO-9 of the Tehama County General Plan.

Subfinding #5

The site is in an area developed with parcels of similar size and uses.

Finding #5

That the design of Tract Map #06-1016 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Finding #6

The development of Tract Map #06-1016 is not likely to cause serious public health problems.

Subfinding #7

The parcels will be served by an existing County maintained road and a private road.

Finding #7

That the design of Tract Map #06-1016 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.

It was moved by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission approve Tract Map #06-1016 subject to the following conditions, and removing Condition #30 (Mitigation Measure VIII.1(a)):

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 Air Pollution Control District

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

Condition # 4

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 # 5

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 # 6

Tehama County Environmental Health Agency

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 # 7

Tehama County Environmental Health Agency

SEPTIC SYSTEMS. Septic system(s) location(s) and expansion areas for **ALL** existing structures (wells, houses, driveways, garages, etc.) shall be delineated on each lot; 100 gpd/person estimate, provide engineered plan for On-Site Waste Treatment System.

Condition # 8

Tehama County Environmental Health Agency

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

Condition # 9

Tehama County Environmental Health Agency

SEWAGE. The face of each additional information 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 # 10

Tehama County Environmental Health Agency

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 #11

Tehama County Cooperative Fire Protection

EMERGENCY FIRE SUPPRESSION WATER

A community water system including the placement of hydrants and street valves with a capacity to flow 500 GPM for a duration of two hours. Specific location of hydrants and approval of the system design shall rest with the County Fire Marshal. The developer shall provide for a means of providing for the maintenance and repair of the community water system in perpetuity.

OR

Any dwelling unit constructed or sited within the boundaries of this tentative subdivision map shall have engineered and installed an automatic fire suppression system which complies with the current Uniform Building Code Standard 9-3; NFPA 13 D (Standard for Installation of Sprinkler Systems in Residential Occupancies); and Tehama County Fire Department standards.

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

Condition #12

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 #13

Tehama County Cooperative Fire Protection

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

Condition #14

Tehama County Cooperative Fire Protection

Any new barrier or gate installed on any access that qualifies as a road or any access to a commercial parcel shall be approved by the county fire chief.

- i. Any such gate shall be electrically operated for entry and exit by a radio operated controller approved by the county fire chief (such as Click2Enter or its equivalent).
- ii. Radio controlled exit may be waived by installation of a "free exit" loop.
- iii. Electrically operated gates shall "fail" to the open position when the power is off. Gates shall remain open until power is restored.

Condition #15

Tehama County Cooperative Fire Protection

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

Condition #16

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 #17

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 #18

Tehama County Public Works Department

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 and 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 (RWQCB) regarding storm water permitting via Storm Water Pollution Prevention Plan (SWPPP).

Condition #19

Tehama County Public Works Department

ACCESS CONTROL: The Final Map shall delineate a one foot wide non-vehicular access strip reservation as follows:

- A.) Lot "A" along the entire south boundary.
- B.) Realign driveway for the lot south of lot "I" to be perpendicular with curve on private roadway.

Condition #20

Tehama County Public Works Department

ENCROACHMENT PERMIT REQUIREMENTS: Developer shall obtain an Encroachment Permit from the Tehama County Public Works Department for the new Road "A" connection to County maintained road.

Condition #21

Tehama County Public Works Department

ROAD IMPROVEMENT REQUIREMENTS: Developer shall construct all road, storm drainage systems, and related public improvements in accordance with the Tehama County Land Division Standards (TCLDS) and the following:

A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE) to the Tehama County Public Works Department (TCPWD) for approval in accordance with the TCLDS and applicable sections of the Caltrans Highway Design Manual.

- a.) Sherwood Boulevard shall be constructed to a 10-3, 60-foot right of way, collector Street standard, with the addition of a center turn lane, left turn widening, acceleration taper within existing right of way. The construction limits on Sherwood Blvd. shall be sufficient to construct the center turn lane, left turn widening and the acceleration taper. At the intersection of road A and Sherwood Blvd., remove all shrubs and debris within the right of way to increase the sight distance.
- b.) Private road intersection with Sherwood Blvd. shall have a Caltrans Type "C" road connection.
- c.) Proposed private Cul-de-Sac Road "A" shall be constructed to a modified 10-3, cul-de-sac standard.

B.) All roadway structural sections shall be designed based on "R" value tests and the appropriate traffic index.

C.) Developer shall submit a Traffic Control Plan prepared by an authorized professional for approval by the TCPWD prior to the start of construction.

D.) Developer shall reimburse the TCPWD for all costs related to checking, processing, and inspection activities associated with the improvement plans, final map, documents, and construction activities in accordance with the Tehama County Code.

E.) Construction shall not commence prior to approval of the improvement plans by the TCPWD.

F.) Developer shall notify TCPWD a minimum of two working days prior to commencement of construction activities.

G.) Developer shall provide the TCPWD with a RCE certification that all improvements were constructed in accordance with the approved improvement plans, TCLDS, and

applicable sections of the Caltrans Standard Plans and Specifications for Local Streets and Roads, July 2002.

H.) Developer shall submit AS-BUILT improvement plans prior to acceptance of the completed improvements and/or the release of any improvement security.

Condition #22

Tehama County Public Works Department

IRRIGATION / DRAINAGE: The developer shall provide design calculations for the piping of the irrigation ditch crossing the property.

Condition # 23

Northeast Center of the Calif. Historical Resources Information System

CULTURAL RESOURCES PROTECTION. The final map shall contain an informational page which states the following: "If any potential prehistoric, protohistoric, and historic cultural resources are encountered during any phase of the project operations, all work should cease in the area of the find pending examination of the site and materials by a qualified archaeologist."

Condition #24

Los Molinos Mutual Water Company

EXISTING SHARES. The above parcel split will require that any new owners have existing shares in the LMMWC transferred into their name. That new parcels be granted easement for ditch and/or pipelines to cross their property for water delivered.

Condition #25

Los Molinos Mutual Water Company

The subdivider of the parcel shall schematically identify, if present all LMMWC facilities, drainage encroachments, etc., on the subdivision plat map. These will be field reviewed by the LMMWC for accuracy. No ditch or pipeline of LMMWC shall be used for the drainage of surface water from any parcel. No ditch, pipeline or facility of LMMWC shall be disturbed or altered without written permission of Los Molinos Water Co.

Condition #26

Los Molinos Mutual Water Company

Extending the delivery point and facilities to new parcels will be at the expense of the land owners desiring water delivery. Shares in the Los Molinos Mutual Water Company will need to be purchased if necessary and available.

Condition #27

Los Molinos Mutual Water Company

Subdivision map review fee of \$75 per lot must be paid to LMMWC in advance at their office at 25162 Josephine Street Los Molinos. Conditions of approval of the map will be provided to the Tehama County Technical Advisory Committee after receipt of this fee.

Condition #28

Regional Water Quality Control Board

STREAMBANK SETBACK. The Final Map shall identify a development setback area which measures at least 50 feet from the top of bank or the southern most edge of any riparian habitat found on the project site south of Mill Creek. The Final Map shall contain a note on an additional information page which states, "No development shall occur within the bed or banks of Mill Creek without first obtaining the appropriate permits through the California Department of Fish and Game, the U.S. Army Corps of Engineers and the California Regional Water Quality Control Board."

Condition #29

Mitigation Measure VI. 1. (a)

Regional Water Quality Control Board

Prior to the commencement of construction activities the developer must obtain a Construction Storm Water Permit, including a Storm Water Pollution Prevention Plan, issued by the California Regional Water Quality Control Board.

Condition #30

Mitigation Measure VIII. 1 (a)

Regional Water Quality Control Board

(Condition Removed at PC 1-17-08)

Condition #31

Mitigation Measure XV. 1 (a)

The applicant, in coordination with Tehama County and Caltrans, shall establish a State Route 99E. and Los Molinos Signalization Development Impact Mitigation Fee, or other appropriate mechanism to collect funds from this project and all future projects that impact the State Highway and intersections targeted for signalization, prior to recordation of the Final Map. The fee or other mechanism shall provide for the collection of an amount sufficient to construct the improvements to fully mitigate the cumulative impacts of the projects upon State Route 99E. and the signalization project.

The project proponent / developer shall have the necessary studies prepared in coordination with the Tehama County Public Works Department and Caltrans to establish the Development Impact Mitigation Fee or other appropriate fee mechanism, which shall be in place prior to recordation of a Final Map. The project proponent / developer shall be reimbursed the full amount of costs incurred for the preparation of the necessary studies, to the extent permitted by law. The Tehama County Public Works Department shall collect the established fee on a per lot basis at the time of building permit issuance. A note shall be placed on the final map advising future property owners of the mitigation fees.

RESOLUTION OF INTENTION – LAKE CALIFORNIA P.O.A. (LOTS 530 & 531B)

Mr. Robson explained the request from P.O.A. of Lake Calif. relative to parcels of land that are involved in the Rio Alto Water District - having some of the properties rezoned and is in the public

interest and POA to resolve properties of which some will be recreation and some residential. He explained a Resolution has been prepared and request the Commissioners approve the Resolution to set the matter for public hearing for March to consider rezoning the properties.

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 adopt the Resolution of Intention to set a public hearing for March 20, 2008.

Meeting recessed at 10:10 a.m. to go on the field trip.

WORK/STUDY SESSION:
TEHAMA COUNTY DRAFT GENERAL PLAN

Chairperson Walker reconvened the meeting at 1:04 p.m. in Annex Conference Room E, 444 Oak Street, Red Bluff, CA.

Ag Line on East Side (North County) (Map #3)

Recommendation: Line remains as drawn from Highway 36 to Jellys Ferry Road and proceeded North on Jellys Ferry Road to where the BLM property begins on the East Side. The new line would follow Jellys Ferry Road North to just South of the Southwest Corner of Section 13, T29N, R3W then Northeast following the contour of the foothills on the East side (Section 12 &13, T29N, R3W), connecting back to Jellys Ferry Road at Spring Branch Road Intersection and proceeding North on Jellys Ferry Road to the County Line. Consensus Reached.

Property Owner: Garman, Mark

Requesting: Special Planning/Suburban & Commercial

Planning Department Recommendation: 2- Deny

Planning Commission Recommendation: Deny Request – Consensus Reached

Discussion: North of Existing Commercial (Gas Station). No access. Severe physical restraints.

Property Owner: Schmitz, Deborah – Peters, Gerald & Margaret

Requesting: 5 – Acre Minimum

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve RSL – Consensus Reached to change parcel along with surrounding boundaries.

Discussion: Currently Rural Large Lot, if agreed upon take everything East of Snively in that area to RSL designation.

Property Owner: Bosenko, Tom (2 parcels)

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: No used for Valley Ag; may need easement for access.

Property Owner: Tauffaasau, Helen (4 parcels)

Requesting: Rural Large Lot (9-150-40); Suburban (9-150-45)

Planning Department Recommendation: 1 – Agree (see changes to both parcels to RLL)

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Planning Commission Recommendation: 1 - Agree

Discussion: Staff agrees with taking the Rural Small Lot to the top of the ravine, eliminate RLL; rest conforming to RLL.

Property Owner: Amaral, Greg

Requesting: Rural Large Lot

Planning Department Recommendation: 1- Agree (chng all parcels west of Jellys Ferry Rd to RLL)

Planning Commission Recommendation: Approve Recommendation

Discussion: Change all parcels west of Jellys Ferry Road to RLL. Out of contract and bringint to RLL, everything East except that along the ravine to Valley Ag. Consensus Reached.

Property Owner: Eckmann, Thomas

Requesting: General Commercial

Planning Department Recommendation: 1 – Agree (allow Comm. With UP in residential)

Planning Commission Recommendation: Approve Request

Property Owner: Rider, Joseph

Requesting: Rural Small Lot

Planning Department Recommendation: 1 – Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: Agricultural Designation currently.

Property Owner: Pritchard, Julia – The Diner

Requesting: General Commercial

Planning Department Recommendation: 1 Agree (allow Comm. With UP in Residential)

Planning Commission Recommendation: Approve Request

Property Owner: Casey, Georgia

Requesting: General Commercial

Planning Department Recommendation: 1 – Agree (allow Comm. With UP in Residential)

Planning Commission Recommendation:

Discussion: Rural Small Lot currently.

DISCUSSION REGARDING COMMERCIAL DESIGNATION IN MANTON:

Discussion of Commercial Zoning – vs- Rural Small Lot. Commissioner Tipton discussed General Commercial designation or Use Permit within Residential. Mr. Robson explained policies. Commissioner Tipton explained that as a representative of that District she feels the need to encourage Commercial areas be established for economic, social and physical look of the town. She stated other residential properties could do Commercial with a Use Permit, but this way it gives the town a plan. It was decided to take the properties north of the road to fill in with General Commerical land use designation. Mr. Robson stated the next step would be hearings to see what level of commercial development residents would like to see (C1, C2, C3 or C4) or other kinds of uses. This would allow residents to “weigh in” on what they want to see for the community. Ann Pritchard’s property would also be changed to General Commercial (across Manton Rd.) – Consensus Reached.

Property Owner: Paynes Creek Sportsman's Club

Requesting: Commercial Recreation

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached

Discussion: Problem over the years – needs Commercial Recreation designation as that is how it has been used for 50 plus years. Cabins located here with outdoor hunting.

Property Owner: Black Forest Subdivision/David Storer

Requesting: Suburban

Planning Department Recommendation: 1 – Agree (SP on all lots currently in RS)

Planning Commission Recommendation: Defer to cleanup meeting for further review

Discussion: Mr. Robson explained this property already has a Planned Development designation on it. Commissioner Tipton stated they have not toured it and are not prepared to discuss. Discussion followed regarding the background of the property. He explained the Land Use Designation would be a special planned kind of usage. It was converted from Timberland and Ag Lands during the last 15 years. Staff recommends not leaving it Suburban, get a Special Planning area so that we can work with concepts that might change over time and also under Special Planning verbage, the underlying land use is not piece-meal if no specific plan is prepared. Mr. Robson explained the land location and access of these parcels. Commissioner Tipton stated she needs more time to research and visit the location. Consensus reached to defer to cleanup meeting.

Property Owner: Deveraux, Karen & Brian

Requesting: Suburban

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – Consensus Reached.

Property Owner: Les Scwab Tire Center

Requesting: General Commercial

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request

Property Owner: Houghtby, Wilfred

Requesting: Suburban/Commercial

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

Planning Commission Recommendation: Hold over – Mr. Robson to check – possible legal non-conforming use (Gary's Auto)

Property Owner: Minch, Brandon

Requesting: Valley Floor Ag

Planning Department Recommendation: - Pre-deadline request – property since sold

Planning Commission Recommendation: Withdraw Request

Property Owner: Taylor, Peter & Gail (2 parcels)

Requesting: Rural Small Lot

Planning Department Recommendation: 4 - Disagree

Planning Commission Recommendation: Deny Request – Consensus Reached

Discussion: Suburban designation to Gilmore Ranch Road.

Property Owner: Christenson, Wesley

Requesting: Rural Small Lot – 2-acre minimum

Planning Department Recommendation: 2 – Disagree changed to 1 - Agree

Planning Commission Recommendation: Approve Rural Small Lot as requested – Consensus reached.

Discussion: Fill in.

Property Owner: Birk, Serge

Requesting: Rural Small Lot

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Deny Request

Discussion: in District 2.

Property Owner: Smith, Dale – Edwards, Jim & Webber, Nancy

Requesting: Rural Small Lot

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Deny request – Consensus Reached

Discussion: In Valley Ag – no more parcelization – superprime

Property Owner: Krause, Anne

Requesting: Rural Small Lot

Planning Department Recommendation: 1 - Agree

Planning Commission Recommendation: Approve Request – change piece of property to South also – Consensus Reached.

Discussion: Include 49-010-41 as RSL also 49-010-01.

Property Owner: Patterson, Mark

Requesting: Suburban

Planning Department Recommendation: 2 - Disagree

Planning Commission Recommendation: Deny Request – Consensus Reached

Discussion: Orchard currently.

Next Study Session meeting will be reviewing District 1 & 3 (Special Planning Area, Hooker Creek area). Meeting will convene at 8:30 a.m. with Field Trip and Study Session immediately following.

There being no further business, the meeting was adjourned at 2:27 p.m.

GEORGE W. ROBSON, SECRETARY

TONY TURRI, CHAIRPERSON

TEHAMA COUNTY PLANNING COMMISSION TEHAMA COUNTY PLANNING COMMISSION