



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

TEHAMA COUNTY PLANNING COMMISSION

MINUTES FOR THE MEETING HELD ON: **March 20, 2008**

LOCATION: Board of Supervisors Chambers
633 Washington Street
Red Bluff, CA 96080

COMMISSIONERS PRESENT: Commissioners Walker, Jones, Tipton, David

COMMISSIONER ABSENT: Commissioner Turri

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

OTHER COUNTY DEPARTMENTS PRESENT: Will Murphy, County Counsel
Arthur Wylene, Assistant County Counsel
Williams Goodwin, Chief Administrator
Gary Antone, Director of Public Works

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

Chairperson Walker reconvened the Planning Commission meeting at 9:05 a.m.

CITIZEN'S CONCERNS:

Chairperson Walker called for public comments.

Richard Clapp addressed the Commissioners. Mr. Clapp noted that today is "National Sweater Day". Mr. Clapp stated that the Use Permit for InEnTec should be revoked since there is no current "litigation". He stated he would submit a letter of request to the Planning Commission to put this item on the April agenda.

Bill Goodwin, Tehama County Chief Administrator addressed the Commissioners as the Chief Administrator. He explained the Board of Supervisors has not reviewed the Draft General Plan and will not until the Planning Commissioners have completed their work and the Environmental Document is completed. He stated he has been following the process and at the last meeting he was present at, he felt there was a good discussion in regards to Special Project areas. He stated if we are going to preserve ag land in Tehama County we have to concentrate growth in the North I-5 area which are soils that are not beneficial lands to the agricultural industry. He explained that with development agreement and Specific Plans, the Del Webb project being a perfect example, that the process stood the tests of the courts. He stated that was a "pay as you go" development agreement, as they are actually committed to pay for ongoing fire, ongoing police, ongoing road maintenance, ongoing landscape, ongoing lighting. The Development Agreements will not create a burden to existing residents. However, in order to do these things you have to have significant density and in order to get a new interchange a significant number of residents is required. Mr. Goodwin explained we do not want Tehama County to become another Tamecula, Hemmet or Perris, CA. He explained this is a 30-40 year plan as you cannot go back and retrofit once homes, stores and shops have already been built.

Gary Catlin addressed the Commissioners. Mr. Catlin stated he is alarmed by Mr. Goodwin's attitude of pro growth. Mr. Catlin referenced the recent survey of Tehama County residents and stated 85% of those surveyed were against growth at the current rate. Mr. Catlin asked for limited amount of growth in the North I-5 corridor.

James Webber and Ian Turnbull addressed the Commissioners. Mr. Turnbull stated they represent the Capay Landowners Association. He stated the Capay area is still designated as Valley Floor Agricultural with no special classification. He explained he has appeared at earlier public comment periods and requested a change in the general plan classification of their area. He urged the Commission to make the changes requested in earlier presentations and correspondence.

Chairperson Walker asked if there were any other citizens concerns. There were none.

MINUTES OF MEETING:

Minutes of February 21, 2008:

Chairperson Walker asked the other Commissioners if there were any changes to the Minutes of February 21, 2008.

There were no changes to the minutes.

It was moved by Commissioner Jones, seconded by Commissioners Tipton and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the minutes of February 21, 2008 as mailed.

Minutes of February 28, 2008:

Chairperson Walker asked the other Commissioners if there were any corrections to the Minutes of February 28, 2008.

Commissioner David stated he had a correction to Page 5 of 8, paragraph 4 to read as follows:

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

It was moved by Commissioner Jones, seconded by Commissioners David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the minutes of February 28, 2008 with the correction noted.

PUBLIC HEARING:

Mr. Robson explained that Rezone #08-2, LAKE CALIFORNIA SUBDIVISION will be held over to May 15, 2008 as Staff and Counsel have decided to do an Environmental Review. Mr. Robson stated this item required a Public Hearing Notice and therefore testimony will be heard today, however, he encouraged public testimony be held over until the May 15, 2008 Planning Commission meeting.

Chairperson Walker opened the meeting to public comments on Rezone #08-2. None were received.

Chairperson Walker closed the meeting to public comments on Rezone #08-2.

Mr. Robson also explained today's agenda has the Draft General Plan under "Other Matters" and will not be heard today, nor next week as the Commissioners have asked to hold it over until April 3, 2008, 9:00 a.m., Courthouse Annex Room E.

Arthur Wylene, Assistant County Counsel entered the meeting at 9:30 a.m.

Will Murphy, County Counsel left the meeting at 9:31 a.m.

USE PERMIT #07-14 HUGH KEENER (CARETAKER RES).

TO ESTABLISH A CARETAKER UNIT IN AN UA; UPLAND AGRICULTURAL ZONING DISTRICT. THE PROJECT PARCEL IS LOCATED APPROXIMATELY 4 MILES NORTH OF RED BLUFF, ON THE END OF SEELY LANE, APPROXIMATELY 800' EAST OF THE SEELY LANE/PENNER DRIVE INTERSECTION. APN: 009-540-01 AND 02. APPROXIMATELY 37.39 ACRES.

Chairperson Walker opened the public hearing.

Mr. Robson explained the location and reason for the caretaker request.

Commissioner David asked for clarification of the plot plan submitted.

Mr. Robson explained the plot plan process.

Chairperson Walker opened the meeting to public comments on Use Permit #07-14.

Hugh Scott Keener and Hugh A. Keener, applicants, were present.

Mr. Hugh S. Keener explained the request for the caretaker residence and explained they currently have plans in the building permit process and are requesting the caretaker residence so they can move forward once the residence is completed.

Commissioner Tipton asked about other second residences in the area and Mr. Robson explained the surrounding parcels which have second residences located on them.

Chairperson Walker closed the public hearing and comment period.

It was moved by Commissioner David, seconded by Commissioner Tipton 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) and it was determined that Use Permit # 07-14 is exempt from CEQA pursuant to Section 15303 (The project consists of construction and location of one dwelling unit).

Subfinding #1

U.P. # 07-14 proposes a use that is Categorical Exempt pursuant to Title 14, California Code of Regulations Section 15303; New Construction or Conversion of Small Structures, as the project consists of construction and location of one residential unit.

Finding #1

U.P. # 07-14 proposes to establish caretaker unit to provide help for the maintenance of the project site and animals. Therefore, U.P. # 07-14 is exempt from CEQA pursuant to Title 14, California Code of Regulations Section 15303; New Construction or Conversion of Small Structures.

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

Subfinding #2

The applicant proposes to establish a caretaker unit in a UA; Upland Agricultural Zoning District to house a family member to assist in the maintenance of the project site and future animal raising activities on a 37.39 acre parcel in an area surrounded by agricultural parcels of similar size and characteristics.

Finding #2

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

the capacity and physical character of surrounding streets; and to any other relevant impact of the proposed use.

Subfinding #3

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

Subfinding #4

The project will be confined to the project parcel.

Subfinding #5

The Tehama County General Plan designates the site as G; Grazing. 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 #6

The proposed caretaker unit will facilitate the agricultural production of the parcel by providing a dwelling for a family member to assist in the maintenance of the project site and future animal raising activities on 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.

It was then moved by Commissioner David, seconded by Commissioner Tipton and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit #07-14 subject to the following conditions:

CONDITIONS OF APPROVAL FOR UP#07-14

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 Planning Dept.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated December 21, 2007.

Condition # 3

Tehama County Air Pollution Control District

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

Condition # 4

Tehama County Air Pollution Control District

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

Condition #5

Tehama County Cooperative Fire Protection

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed Article II of Tehama County Ordinance 1537, Sections 9.14.020, 9.14.022, 9.14.023, 9.14.024, 9.14.025, 9.14.026, 9.14.027, 9.14.030, 9.14.031, and a notation to that effect shall be placed upon the final map.

Condition #6

Tehama County Cooperative Fire Protection

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

Condition #7

Tehama County Cooperative Fire Protection

BUILDING PERMITS. Any building permits issued for any parcel shall be conditioned upon compliance with all pertinent sections of Chapter 9.14 of the Tehama County Code as it reads at the time of permit issuance, and a notation to that effect shall be placed upon the final map.

USE PERMIT #08-02 JOE ARROWSMITH (CARETAKER RES)

TO ESTABLISH A RESIDENCE AS "CARETAKER RESIDENCE" IN AN EA-B: 871, EXCLUSIVE AGRICULTURAL – SPECIAL BUILDING SITE COMBINING 871,000 SQ. FT. (20 ACRE MINIMUM) ZONING DISTRICT. THE PARCEL IS APPROXIMATELY 104.72 ACRES AND LOCATED NORTHWEST OF RED BLUFF ALONG THE WEST SIDE OF MCCOY RD. AT THE NORTHWEST CORNER OF THE MCCOY RD/QUERCUS LOBATA BYWAY INTERSECTION. APN: 007-370-85.

Chairperson Walker opened the public hearing.

Mr. Robson explained the location and request for a caretaker residence. Mr. Robson also explained this request is for a fourth caretaker residence on this 104.7 acre property. The caretaker residence is being requested to assist with the family business and no correspondence has been received on this project.

Commissioner Tipton asked about an encroachment condition.

Mr. Robson stated that Condition #7 addresses the encroachment.

Chairperson Walker stated that Condition #8 is requesting access approval onto Quercus Lobata Byway as this is a private road.

Mr. Robson explained that the applicant would be required to get access rights from the Road Maintenance Association prior to issuance of a building permit.

Commissioner Jones asked staff how many caretaker residences can be allowed on one piece of property.

Mr. Robson stated there is no limitation as long as the 4 findings are made.

Commissioner Jones asked about the obligation for fire and police protection as well as road improvements. He felt these are safety issues and without road improvements is the county able to provide protection.

Chairperson Walker opened the meeting to public comment.

Rick Arrowsmith was present and explained his beekeeping operation in detail. He stated the four residences located on this parcel are all family members. Mr. Arrowsmith noted the proposed Draft General Plan, if approved, will allow two acre minimum parcel size in this area and there is a possibility in the future the parcel may be split so each of the four family members have their own parcel.

Chairperson Walker closed the public comment period.

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 Subfinding and Finding #1 and determine that Use Permit 08-2 is exempt from CEQA pursuant to Class 3 - Section 15303, the project consists of the construction of one dwelling unit:

Subfinding #1

Use Permit 08-2 would allow the establishment of a single-family residence as a "Caretaker Residence" pursuant to Section 17.10.030 (D) of the Tehama County Zoning Code.

Finding #1

The construction of a single-family residence is exempt from CEQA pursuant to Categorical Exemption – Class 3, Section 15303.

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

Subfinding #2

The applicant proposes to establish a Caretaker Residence in an EA-B: 871, Exclusive Agricultural-Special Building Site Combining 871,000 sq. ft. (20 acre minimum) Zoning District. The parcel is currently used for a family apiary operation. The additional residence will be occupied by the grandson of the property owner who will assist his grandfather and father in the existing apiary operation.

Finding #2

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

Subfinding #3

The Tehama County General Plan designates the site as Cropland. Upon the application and approval of a Use Permit the establishment of a Caretaker Residence is permitted in said designation.

Finding #3

That the impacts as described in Finding #2, and the location of the proposed use are consistent with the Tehama County General Plan and Zoning Code.

Subfinding #4

The applicant proposes to establish a Caretaker Residence to assist his grandfather and father with the daily maintenance and operation of the family apiary business.

Finding #4

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

It was moved by Commissioner Jones, seconded by Commissioner Tipton, and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Use Permit 08-2 subject to the following conditions:

CONDITIONS OF APPROVAL FOR UP#08-02

Condition #1
Tehama County Planning Dept.

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

Condition #2

Tehama County Planning Dept.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated January 16, 2008.

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

Condition #7

Tehama County Public Works Dept.

ENCROACHMENT PERMIT REQUIREMENTS. The Applicant shall obtain an Encroachment Permit from the Tehama County Public Works Department for the new access connection to McCoy Road, a County maintained road.

Condition #8

Tehama County Public Works

At issuance of a building permit applicant, the applicant must provide proof of access rights to Quercus Lobata Byway.

(Condition Add at TAC 3-5-08)

REZONE #08-02, LAKE CALIFORNIA SUBDIVISION

REZONE GR TO R-1 LOT 530; R-1 TO GR LOT 531B. TO REZONE LOT 530 OF TRACT 1006, RIVER LAKES SUBDIVISION UNIT NO. 4 FROM GR; GENERAL RECREATION DISTRICT TO R-1; ONE-FAMILY RESIDENTIAL ZONING DISTRICT AND TO REZONE A PORTION OF LOT 531 (LOT 531B) AND PARCEL "U" OF RIVER LAKES SUBDIVISION UNIT NO. 4 THAT WAS MERGED WITH LOTS 532-535 PURSUANT TO LOT LINE ADJUSTMENT 07-36 AND CERTIFICATE OF MERGER 07-53 FROM R-1; ONE-FAMILY RESIDENTIAL ZONING DISTRICT TO GR; GENERAL RECREATION DISTRICT. LOCATED WITHIN THE LAKE CALIFORNIA COMMUNITY, TRACT 1006, RIVER LAKES SUBDIVISION UNIT NO. 4 IN SECTION 22, T.29N., R3W., M.D.B.&M ON THE WEST SIDE OF NORTH MARINA WAY DRIVE, APPROXIMATELY 630 FEET WEST OF THE SOUTH MARINA WAY DRIVE/FINGER POINT WAY INTERSECTION. APN 102-120-09 AND APN 102-120-10.

Chairperson Walker opened the public hearing for comments and stated this project was held over to May 15, 2008 as mentioned at the beginning of today's meeting.

No comments were received.

Chairperson Walker closed the public hearing.

REZONE #07-04 DARREL JOHNSON.

TO REZONE APPROXIMATELY 0.80 OF AN ACRE FROM AV; AIRPORT DISTRICT TO C-4; LOCAL CONVENIENCE CENTER COMMERCIAL DISTRICT . LOCATED AT THE ENTRANCE TO RANCHO TEHAMA RESERVE, APPROXIMATELY 55 FEET WEST OF THE STAGE COACH ROAD / RANCHO TEHAMA ROAD INTERSECTION. APN: 60-070-15.

Chairperson Walker opened the public hearing.

Mr. Robson explained the application for Rezone and stated the Planning Commissioners had received an Amended Staff Report at the beginning of the meeting. The correction to the staff report consists of a Categorical Exemption more appropriate to the project.

Mr. Robson stated this is a commercial hangar and many of the surrounding parcels are also zoned C4.

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

Chairperson Walker closed the meeting to public comments.

It was moved by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to recommend that the Board of Supervisors adopt an ordinance approving Rezone #07-4 to rezone

approximately 0.80 of an acre from AV; Airport District to C-4; Local Convenience Center Commercial District.

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 Planning Dept. had received Revised Reclamation Plan documents and Revised Biological Delineation Documents yesterday, the other documents were received last week. Staff has begun their evaluation of the documents and preparing responses to the Department of Conservation. Therefore he requests it be continued for 60 more days due to the timeframe for the analysis of the documents. Mr. Robson indicated this could be placed on the Commissions agenda for May 15, 2008.

Chairperson Walker opened the meeting to public comments.

Stewart Altemus, applicant's attorney was present. Mr. Altemus stated he supports the extension request to May 15, 2008.

Chairperson Walker closed the public comments.

A motion was made by Commissioner Tipton, seconded by Commissioner Jones and carried by a vote of 4:0:1 of the Tehama County Planning Commission to grant a sixty day extension of the deadline for submission and approval of an Amended Reclamation Plan, Financial Assurance Cost Estimate and Mechanism, upon the conditions presently in effect.

A motion was made by Commissioner Tipton to direct County staff to present proposed responses to OMR's comments at the April 17, 2008 Planning Commission meeting, which may be based upon 7-11 Materials' proposed responses, if timely submitted and adequate, or may be developed by staff. Motion died due to lack of a second.

Mr. Robson stated he did not feel they needed to revisit this on April 17, 2008. They will be receiving the completed Reclamation Plan with the responses to comments prior to the meeting on May 15, 2008.

OTHER MATTERS:

TRACT MAP #04-1000 ROGER NICHOLSON (TIME EXTENSION).

TWO – YEAR TIME EXTENSION REQUEST TO CREATE SIX PARCELS; FIVE PARCELS OF 16.0 ACRES EACH, ONE REMAINING LANDS PARCEL OF APPROXIMATELY 39.0 ACRES IN AN EA-B:871; EXCLUSIVE AGRICULTURAL- SPECIAL BUILDING SITE COMBINING (871,000 SQ. FT., 20 ACRE MINIMUM) ZONING DISTRICT. THE PROJECT IS LOCATED IN THE FLOURNOY AREA, ON THE NORTH SIDE OF PASKENTA ROAD, APPROXIMATELY 3,600 FEET NORTHEAST OF THE CORNING ROAD/ PASKENTA ROAD INTERSECTION. APN: 61-400-83. 139.00 ACRES.

Mr. Robson explained the applicant's request for a two year time extension.

Discussion was held concerning water and methane traces in the area.

Mr. Robson stated there is currently a Senate Bill #1185, which if approved, would automatically grant a two year time extension on all maps currently in process. He stated there currently is no opposition to this urgency measure.

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 Subfinding & Finding #1 as presented in the staff report pursuant to the California Environmental Quality Act (CEQA) and find that Track Map #04-1000 is exempt from CEQA pursuant to Section 15162 (a)(b). (Previously adopted Negative Declaration for the project):

Subfinding #1

The Time Extension for Revised Tract Map # 04-1000, Roger Nicholson, does not propose a project substantially different from the previously approved project.

Finding #1

The Negative Declaration adopted for Tract Map # 04-1000, Roger Nicholson, and subsequently Revised Tract Map # 04-1000 provides for an end use of the project site which is the same end use that is being proposed by the Time Extension. Therefore, the Time Extension for Revised Tract Map # 04-1000, is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Negative Declaration for the project)

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 following Subfindings and Findings for Tract Map #04-1000:

Subfinding #2

Revised Tract Map 04-1000 is located in an area that is designated Cropland by the Tehama County General Plan. Minimum parcel sizes in the Cropland Land Use Category in the Flournoy area are 871,000 sq. ft. (20 acre). Revised Tract Map 04-1000 proposes to create six parcels; five parcels of 16.0 acres each, one remaining lands parcel of

approximately 39.0 acres in an EA-B:871; Exclusive Agricultural- Special Building Site Combining (871,000 sq. ft., 20 acre minimum) Zoning District.

Finding #2

Revised Tract Map 04-1000 is consistent with the Cropland classification of the Tehama County General Plan.

Subfinding #3

Revised Tract Map 04-1000 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 #3

That the design and improvements of Revised Tract Map 04-1000 are consistent with the Tehama County General Plan.

Subfinding #4

The site and location of Revised Tract Map 04-1000 is in an area where building pads can be constructed that will not present any physical difficulties for development.

Finding #4

The site of Revised Tract Map 04-1000 is physically suitable for the type of development proposed.

Subfinding #5

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 #5

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

Subfinding #6

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

Finding #6

That the design of Revised Tract Map 04-1000 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Subfinding #7

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 #7

The development of Revised Tract Map 04-1000 is not likely to cause serious public health problems.

Subfinding #8

The parcels will all be served by a private road with an encroachment onto a County maintained roadway.

Finding #8

That the design of Revised Tract Map 04-1000 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 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 # 04-1000 subject to the following conditions:

CONDITIONS OF APPROVAL FOR TRACT MAP #04-1000
AS PREVIOUSLY APPROVED

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

A report from an engineering geologist concerning water supply and quality, as per Section VII, B., 1., b). of the Land Division Standards.

Condition #3

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

Condition #4

STOPPING SIGHT DISTANCE REQUIREMENT: A 55 M.P.H. stopping sight distance is required for the intersection of Paskenta Road (Co. Rd. No. 56) and the proposed private road.

- A.) A Registered Civil Engineer shall submit a detail design showing that the stopping sight distance meets with the Tehama County Land Division Standards and the Caltrans "Highway Design Manual".
- B.) Stopping sight distance plans, calculations and appurtenant information shall be submitted to the Tehama County Public Works Department for review and approval prior to commencement of construction.
- C.) The above said stopping sight distance shall be determined by information provided in the current addition of American Association of State Highway and

Transportation Officials (AASHTO) reference "A Policy on Geometric Design of Highways and Streets". D.) 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.

Condition # 5

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

A.) All roadway and related storm drainage improvements shall be constructed in accordance with the requirements of Tehama County Ordinance 1537 and roadway requirements described in Section III "Roads" – Paragraph J(2) of the Tehama County Land division Standards (TCLDS).

(Revised at PC 5/18/06)

B.) Developer shall provide certification from a Registered Civil Engineer (RCE) that certifies all road related storm drainage improvements, required in the conditions of approval, have been constructed to the appropriate standards as required per TCLDS Section III J(2)(b). (Developer shall construct a *modified J-2 with double chip seal, Cul-de-Sac Road with 60' right-of-way) with an engineered structural section based on "R" value tests and traffic indices.

(Revised at PC 5/18/06)

a.) Full intersection improvements required with road widening along Paskenta Road at the intersection with proposed private road. Appropriate improvements shall run east and west along Paskenta Road as determined by the Tehama County Public Works Department.

(Revised at PC 5/18/06)

- 1.) Improvement plans shall be prepared in accordance with applicable sections of the Caltrans "Highway Design Manual" and TCLDS, as amended.
- 2.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction.
- 3.) 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.
- 4.) Private road encroachment shall have a modified Caltrans Type "C" Road Connection encroachment (as directed by Public Works).
- 5.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the commencement of any work within a County maintained right of way.
- 6.) Developer shall notify TCPWD (a minimum of two working days) prior to commencement of construction to provide for construction inspection scheduling.

C.) Developer shall provide the County Engineer with a RCE certification that all roads, storm drainage systems and related improvements, as described in the conditions of

approval, have been constructed in accordance with applicable sections of the Caltrans "Highway Design Manual" and the TCLDS, as amended.

Note: The RCE Certification shall include copies of the following test results :

- 1.) Gradation of sub-base and base materials.
- 2.) Compaction tests of sub-base and base.
- 3.) Asphalt Concrete testing.
- 4.) Portland Cement Concrete testing.

D.) New street names shall be approved by the Tehama County Planning Department,

E.) Developer shall establish a method for maintaining private roads.

F.) Street name signs and stop sign shall be installed per the Land Division Standards.

G.) Developer shall provide the TCPWD with a copy of Tehama County Fire/CDF approval of above described improvements.

Condition #6

DRAINAGE ANALYSIS REQUIREMENTS:

A.) The Developer shall provide a drainage analysis prepared by a Registered Civil Engineer which certifies proposed improvements and appurtenant drainage facilities will not adversely impact adjacent lands. Drainage analysis must meet the requirements of Section IV "DRAINAGE" of the Tehama County Land Division Standards and shall address increased drainage runoff from the subdivision to Paskenta road side drainage ditches.

B.) The above said drainage analysis shall be submitted to the Tehama County Public Works Department (TCPWD) for its review and comments prior to the approval of improvement plans and commencement of construction. All pertinent calculations and studies must be included with analysis for approval.

C.) Developer shall, via a Service Agreement, reimburse the TCPWD for all labor costs incurred in the review and processing of drainage analysis, improvement plans and construction inspection.

D.) All drainage channels and pipes shall be constructed within private drainage easements that comply with the minimum easements widths determined by the drainage analysis (described in above item #1) in accordance with the Tehama County Land Division Standards (TCLDS) and delineated on the Final Map.

Condition #7

EMERGENCY FIRE SUPPRESSION WATER. Because of the potentially significant impact of this development the California Department of Forestry and Fire Protection and the Tehama County Fire Department requests the following mitigation:

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 maintenance and repair of the community water system in perpetuity.

Or

If a community water system is not available or unable to satisfy the above criterion, then 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 most current edition of the 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 #8

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) to all project site 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, 9.14.028, 9.14.029, 9.14.030, 9.14.031, and a notation to that effect shall be placed upon the final map.

Condition #9

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

Condition #10

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 #11

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 #12

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 #13

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 #14

UTILITIES. The following note shall appear on a supplemental information document recorded concurrently with the Parcel Map. **NOTE:** 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

LIQUID WASTE. This parcel is not approved for any use that will generate liquid wastes. No permit to dispose of sewage or other liquid waste generated by the use of this property will be issued until applicable provisions of State and local law and Tehama County On-Site-Sewage-Disposal Code, as amended have been complied with.

Condition #16

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 #17

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

Condition #18

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.

<u>WORK/STUDY SESSION:</u> <u>TEHAMA COUNTY GRADING ORDINANCE</u>
--

Gary Antone, Director of Public Works was present and addressed the Commissioners on the Draft Copy of the "Ordinance of the Board of Supervisors of the County of Tehama Adding Chapter 9.43 to the Tehama County Code Pertaining to Grading and Erosion Control".

Mr. Antone explained the need for the Grading Ordinance and went over the draft and the minor modifications that have been made.

Mr. Antone stated this document will be presented to the Board of Supervisors on April 1, 2008.

There being no further business, the meeting was adjourned at 10:58 a.m.

GEORGE W. ROBSON, SECRETARY
TEHAMA COUNTY PLANNING COMMISSION

LINDA WALKER, CHAIRPERSON
TEHAMA COUNTY PLANNING COMMISSION