

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

The Tehama County Planning Commission met in a regular session at 9:03 am. On Thursday, September 20, 2007 at the Board of Supervisors Chambers, 633 Washington Street, Red Bluff, California, with the following members present: Commissioners Toni Turri, Don Jones, Kim Tipton, and Delbert David. Commissioner Linda Walker was absent.

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

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

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

CITIZEN'S CONCERNS:

Chairperson Turri called for public comments. None were received.

MINUTES OF MEETING –August 16, 2007:

Chairperson Turri asked if there were any changes to the minutes of the August 16, 2007 meeting.

Commissioner David stated he had two corrections to the minutes:

Page 12 – Subfinding #2: “no units within 1,000 ft”, should read “no dwelling units within 1,000 ft.”

Page 22 – Condition #26 – “Condition 1:, 2:, 3:, 4:” should be labeled “Condition A:, B:, C:, D.”

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 approve the minutes of the August 16, 2007 meeting with the corrections as noted above.

MINUTES OF THE DRAFT GENERAL PLAN PUBLIC HEARINGS:

August 2, 2007

August 9, 2007

August 16, 2007

August 23, 2007

August 30, 2007

September 6, 2007

It was moved by Commissioner Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve the minutes of the August 2, 9, 16, 23, 30 and September 6, 2007 Draft General Plan Public Hearings as mailed.

PUBLIC HEARING:

There are no items under the Public Hearing Section of the Agenda.

OTHER MATTERS:

TRACT MAP #07-1005, BLUE TENT PROPERTIES LLC. TO CREATE FIVE PARCELS: ONE OF 19.78 ACRES FOR A 100 UNIT R. V. PARK, ONE OF 1.0 ACRE FOR A COMBINATION GAS STATION/ MINI-MART, ONE OF 3.85 ACRES FOR A RESTAURANT, ONE OF 4.57 ACRES FOR A 60 UNIT MOTEL, ONE OF 1.0 ACRE TO DEDICATE TO TEHAMA COUNTY FIRE DEPARTMENT AND A 106.19 ACRE REMAINDER PARCEL ON APPROXIMATELY 136.5 ACRES ZONED PD; PLANNED DEVELOPMENT DISTRICT. THE SITE IS LOCATED APPROXIMATELY 2.0 MILES NORTH OF RED BLUFF ON THE SOUTH SIDE OF JELLYS FERRY RD., JUST EAST OF THE INTERSTATE 5 INTERCHANGE.
APN'S 9-530-60 AND 69. 136.5 ACRES.

Chairperson Turri opened the public hearing.

Mr. Robson explained the project and location. He stated there was a Use Permit approved in 1996 and the project proponents have submitted a tentative map to include a Gas Station, Mini Market, Hotel, and Restaurant.

Lot A is the RV Park, Lot B is the Gas Station, Lot C is Restaurant and Lot D is the Hotel and Lot E is dedicated to Tehama Fire Dept. He stated there was an EIR on this project and the Mitigation Measures have been carried forward. He stated that the final map will have an additional information sheet which will reiterate conditions having to do with Lots A, B, C & D and will be shown on the map.

Commissioner Tipton asked about the Park and Ride.

Mr. Robson stated that Mitigation Measure #15 G.1. should reflect what Condition #27 states. The park and ride is not to be dedicated. The comment on the final map should not show that it is to be dedicated to the County. It will be maintained by the property owner as stated under Condition #25 and 26.

Arthur Wylene asked that since this is not subject to a public hearing was a notice sent to owners within 1,000 ft. of the project.

Mr. Robson confirmed that notification was made.

Commissioner Tipton asked if there would be further detail as to parking with lighting. Would it be put on the final map.

Mr. Robson stated the Use Permit was approved in 1996 and vested. Mr. Robson explained the conditions would be stated today and they cannot be added later.

Commissioner Jones stated that Condition #26 states, "shall meet the requirements set forth in the Tehama County Transit Agency Bus Stop Standards Policies and Procedures", which he stated probably includes lighting.

Mr. Robson suggested that Public Works could respond to those issues.

Jerry Brownfield, Deputy Director of Public Works was present. He stated there are standards and there are different types of pull-outs required for the bus stops and they have no lighting, they have a sign, bench and shelter along the roads. He stated there are no lighting requirements in the standards.

Discussion followed regarding the lighting. All Commissioners agreed that lighting is important for the safety of the public. It was noted that off-ramp lighting is a requirement, however that lighting is too far away from the park and ride.

Steve Sherman, CalFire was present.

Commissioner Tipton stated that in the Technical Advisory Committee minutes it was noted that the Fire Dept. did not want Parcel E as a Fire Station and when would that decision be made final.

Mr. Sherman stated that no decision has been made. He spoke with the developer and indicated they would like to have the parcel located as it is on the revised tentative map and until a decision is made, they would like to have that as an option as a possible location for a fire station. He stated that Parcel E was originally located at the end of the road and after further discussion with the developer it was determined that if it were moved to its current location, they would not have to extend the road all the way down and as there were a lot of issues as to when the road would have to be extended.

Arthur Wylene explained that the offer of dedication on a subdivision map, even if rejected is open for the next 25 years.

Commissioner Tipton asked what the plan is for fire protection in the RV Park.

Mr. Sherman stated there are requirements that exist, there is a NFPA requirement relative to hydrant distance, capacity that is necessary for RV Parks, revised wording to be submitted. (See Condition #15)

Mr. Robson stated that Condition #8 under the Use Permit addresses this issue.

Chairperson Turri opened the meeting to public comment.

Seth Lawrence, engineer for the developer. He stated the developer is aware that the Fire Dept. has a right to accept the offer and hopes the decision will be made soon. He asks that the Commission not include lighting for the Park and Ride as it is located next to Parcel A or Parcel B, with Parcel B being a Mini-Mart Gas Station which will have a lot of lighting, therefore the Park and Ride would benefit from that existing lighting. Future development next to Parcel B may include two fast food restaurants which would also have exterior lighting.

Mr. Lawrence asked for clarification on Condition #7, there are 3 paragraphs which mention the project proponent/developer shall fund an establishment of or shall have necessary studies prepared. He asked they be modified to say "shall participate in funding, or participate in preparing the necessary studies" since it is a larger area that will benefit from this. He stated that Steve Sherman indicated this would not be an issue for him.

Discussion followed regarding the developer receiving rebates for the studies performed by the developer.

Arthur Wylene stated that from Counsel's perspective words such as "shall participate in" are not a good idea for a condition which is also a Mitigation Measure because it does not provide certainty as to when something would happen, however, adding language that there will be rebates from future participants is permissible.

Mr. Robson stated that this already exists within fire suppression assessment zone.

Mr. Sherman stated that suppression zone is an invalid zone per County Counsel.

Mr. Wylene stated that Fire Suppression Zone #1 has a zero assessment and in order to raise that assessment there would need to be the very same kind of studies that there would be to create a separate zone. It would have to go through Prop. 218 either way.

Mr. Robson stated that the Use Permit was validated and vested and the condition was established at the time the Use Permit was approved has been complied with. Fire Suppression Assessment Zone #1 has a zero assessment. He explained the proponents did what they were required to do by the County and now we are coming back with a condition that overlays the same condition essentially, with a more operative function to do away with a district they formed.

Mr. Sherman stated the condition wording was worked out with County Counsel.

Discussion followed regarding ideas for abating the costs of the studies required.

Arthur Wylene stated that possible wording may include a statement "future participants in the assessment zone or an expansion of that assessment zone would be required to rebate their fair share of the study costs to the developer."

Commission Jones stated that is similar to the terminology used in the Sunset Hills Project.

The Commission agreed the language from the Sunset Hills Project would address these issues and should be added to the conditions for this Tract Map #07-1005.

Chairperson Turri closed the public comment period.

Commissioner Tipton stated in the Technical Advisory Committee minutes, John Stoufer stated that each project will come back before the Planning Commission and is that a correct statement.

Mr. Robson stated that is not appropriate relative to the Use Permit and the Use Permit has been approved. He stated that the Commission will not be involved in future construction issues.

Commissioner Tipton asked about fencing for the RV Park and there are elevation issues of concern also.

Commissioner Turri stated he is still concerned with the lighting of the Bus Stop.

Commissioner David suggested the project be referred back to the Technical Advisory Committee to review the minimum luminary requirements for the Bus Stop and the Park and Ride.

Discussion followed by the Commissioners as to whether the project should be referred back to Technical Advisory Committee to research what the minimum luminary requirements are and if the project will provide adequate lighting for the Bus Stop and the Park and Ride.

Discussion then followed regarding the fencing of the RV Park.

Mr. Robson reminded the commissioners that the fencing requirements fall under the Use Permit and the Use Permit is not before the Planning Commission at this time. He explained this is not a map issue it is a Use Permit issue, however, there are provisions in the Code that a Use Permit can be revisited should circumstances warrant that being done.

Arthur Wylene stated that since the Commission is sending the project back to the Technical Advisory Committee they could also request that staff look at the fencing issues both from the Use Permit and the Subdivision design and improvement standard and bring it back next month.

Mr. Robson explained that the Use Permit issues were all addressed at the time the Use Permit was approved. The only question now is on Page 14 of the Staff Report, Condition #29 which requires the Commission review and approve the architectural and final plans of the RV Park before construction, therefore it will be coming back before the Commission when the construction plans are ready.

A motion was made 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 Subfinding and Finding #1 as presented in the staff report pursuant to the CEQA for Tract Map #07-1005.

Subfinding #1

Tract Map #07-1005, Blue Tent Properties LLC, is not substantially different from the project proposed by Revised Use Permit #96-18.

Finding #1

The Mitigated Negative Declaration adopted for Use Permit #96-18, Rolling Hills Partners and mitigated to the maximum extent feasible and Tract Map #07-1005, submitted by Blue Tent Properties LLC, provides for an end use of the project site which is the same end use that was analyzed in the adopted Mitigated Negative Declaration. Therefore, Tract Map #07-1005 is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Mitigated Negative Declaration for the project)

A motion was made by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission that Tract Map #07-1005 is exempt from CEQA pursuant to Section 15162(a)(b), previously adopted Mitigated Negative Declaration for the project.

A motion was made by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission adopt the Subfindings and Findings presented in the Staff Report on Revised Tract Map #07-1005.

Subfinding #1

Tract Map #07-1005 is located in an area that is designated General Commercial by the Tehama County General Plan. Tract Map #07-1005 proposes to create five parcels; one of 19.78 acres for a 100 unit R. V. Park, one of 1.0 acre for a combination gas station/ mini-mart, one of 3.85 acres for a Restaurant, one of 4.57 acres for a 60 unit Motel, one of 1.0 acre to dedicate to Tehama County Fire Department and a 106.19 acre remainder parcel on approximately 136.5 acres zoned PD; Planned Development District.

Finding #1

Tract Map #07-1005 is consistent with the General Commercial classification of the Tehama County General Plan.

Subfinding #2

Tract Map #07-1005 is subject to conditions that direct the design and improvements of the subdivision to meet the requirements of the Tehama County Land Division Standards which are integrated by reference into the Tehama County General Plan.

Finding #2

That the design and improvements of Tract Map #07-1005 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Tract Map #07-1005 has primarily Class III and Class VI soils as shown on the Soil Survey of Tehama County, which characterizes these soils as suitable for a variety of agricultural uses.

Finding #3

The site, size and soils for Tract Map #07-1005 are physically suitable for agricultural use.

Subfinding #4

The topography of the site, and the size of the parcels for Tract Map #07-1005 will allow for the establishment of commercial uses including accessory structures.

Finding #4

The site is physically suitable for the proposed type of commercial development which is less dense than allowed by Table CO-10 of the Tehama County General Plan.

Subfinding #5

Tract Map #07-1005 will create 5 parcels and a remainder parcel on 136.5 acres. The proposed parcels will be served by existing roads and a proposed private roadway which will have to be constructed for access.

Finding #5

That the design of Tract Map #07-1005 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 #07-1005 is not likely to cause serious public health problems.

Finding #7

That the design of Tract Map #07-1005 or type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the subdivision.

A motion was made by Commissioner Walker, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve Revised Tract Map #07-1005 subject to the conditions with an addition to Condition #7 to include a Fair Share Reimbursement Agreement Initial Study Costs as recommended; Rewording for Condition #15; Condition #25 and #26 refer back to the Technical Advisory Committee relative to lighting adequacy for both of those items; Condition #27 to be worded the same as Condition #25 for information only.

Condition #1

Tehama County Planning Department

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

Condition #2

Tehama County Air Pollution Control District

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 #3

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 #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 Environmental Health Agency

SEWAGE DISPOSAL REQUIREMENTS: the Project must meet all regulations and standards for a community wastewater collection and treatment facility including waste discharge requirements established by the RWQCB and requirements of the Tehama County Department of Environmental Health.

Condition #6

Tehama County Environmental Health Agency

Proposed public or community water systems shall comply with Section VII, A., 3., 4., 5., 6., 7., 8. and 9. of the Land Division Standards and California Water Quality Monitoring Regulations.

Condition #7

Tehama County Cooperative Fire Protection

Public Service Impacts

The project proponent/developer shall fund the establishment, through the Board of Supervisors, of a "Fire Suppression Assessment Zone" under Government Code Section 50078.5. The project proponent/developer shall cast an affirmative vote or ballot in favor of establishment of the Zone. The Board will set the assessment at a level sufficient to provide for the project's fair share cost of fire station construction/remodeling, fire station maintenance, staffing of career personnel serving the project, and operational expenses for any Tehama County Fire Department Fire Station that provides service to the project. The cost share shall not include equipment and/or facilities identified in the Tehama County Fire Department Capital Improvement Plan and financed through Tehama County Code Chapter 9.15 Development Impact Mitigation Fees.

The proponent/developer shall have the necessary studies prepared in coordination with the Tehama County Fire department to establish the fire suppression and operational expenses for the fire stations identified by TCFD as providing service to the development. The cost share shall not include equipment and/or facilities identified in the Tehama County Fire Department Capital Improvement Plan and financed through Tehama County Code Chapter 9.15 Development Impact Mitigation Fees.

The proponent/developer shall have the necessary studies prepared in coordination with the Tehama County Fire department to establish the "Fire Suppression Assessment Zone" or other appropriate assessment mechanism, which shall be in place prior to the recordation of the final map. The Zone shall encompass the entire area within the project's boundaries. 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.

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

(Condition Amended at PC 8/20/07)

Condition #8

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 #9

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 #10

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 or industrial 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 #11

Tehama County Cooperative Fire Protection

ROAD SIGN. 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, 9.14.045, 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 #12

Tehama County Cooperative Fire Protection

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

Condition #13

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 #14

Tehama County Cooperative Fire Protection

WATER FLOW/HYDRANT: Project shall comply with fire suppression water flow and hydrant spacing standards (determined by building construction and occupancy type) as required by the current edition of the building/fire code and a notation to that effect shall be placed upon the final map.

Condition #15

Tehama County Cooperative Fire Protection

FIRE SUPPRESSION SYSTEM. All buildings within the project shall have installed an engineered automatic fire suppression sprinkler system per NFPA 13, 13 R or 13 D as required by the uniform building code and uniform fire code as adopted by the California Building and Standards Commission.

(Condition Amended at PC 8/20/07)

Condition #16

Tehama County Cooperative Fire Protection

BUILDING HEIGHT: Approval of buildings taller than 30 feet shall require specific conditions by the Tehama County Fire Marshal and a notation to that effect shall be placed upon the final map.

Condition #17

Tehama County Cooperative Fire Protection

TRANSPORTATION: Transportation (roads) system and building access to be reviewed and approved by the Tehama County Fire Marshal and a notation to that effect shall be placed upon the final map.

Condition #18

Tehama County Cooperative Fire Protection

CONSTRUCTION: All construction shall be subject to meeting applicable fire safety standards as set forth by the current edition of the National Fire Protection Association and by the current edition of the building/fire code as specified by the Tehama County Fire Marshal at the time of building plan review.

Condition #19

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 #20

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 Renumbered at TAC 9-5-07)

Condition #21

Tehama County Public Works Department

ENCROACHMENT PERMIT REQUIREMENTS: Developer shall obtain an Encroachment Permit from the Tehama County Public Works Department for the new roadway connection to County maintained road prior to the final map approval.

(Condition Renumbered at TAC 9-5-07)

Condition #22

Tehama County Public Works Department

DEDICATION OF EASEMENT: The Developer shall dedicate an easement to provide for a 40' wide half width right-of-way along Jellys Ferry Road (Co. Rd. No. 16) for public road, public utilities and related purposes.

(Condition Renumbered at TAC 9-5-07)

Condition #23

Tehama County Public Works Department

ACCESS CONTROL:

- a.) The Developer shall dedicate to the public a one foot wide non-vehicular access strip along Parcel "A" on Jellys Ferry Road (Co. Rd. #16) with exception of entrance.
- b.) The Developer shall dedicate to the public a one foot wide non-vehicular access strip along Parcel "B" beginning at intersection and running westerly along Jellys Ferry Road 100'.

(Condition Renumbered at TAC 9-5-07)

Condition #24

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.

Parcel "A" - RV Park:

- a.) Jellys Ferry Road along Parcel "A" shall be constructed to a 10-3 (Collector) standard, half width right of way, plus 12' paved lane
- b.) Parcel "A" entrance intersecting with Jellys Ferry Road shall be constructed in accordance with a Caltrans modified Type "C" road connection.
- c.) Developer shall construct an acceleration lane west bound and a deceleration lane east bound.

Interior Roads:

- d.) Developer shall construct access road along Parcels "B" and "C" to the intersecting road for Parcel "D" to a 10-2 (Collector street) standard, full width 60' right of way.
 - e.) Developer shall construct road serving Parcel "D" to a 10-2 (Collector Street) standard, full width 60' right of way.
 - f.) Access Road from intersecting road to Parcel "D" to Parcel "F" shall be constructed to a 10-3 (Cul-de-Sac) standard, 50' right of way.
- 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 the 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, May 2006.

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

I.) Developer shall establish a road maintenance agreement for maintaining access road.
(Condition Renumbered at TAC 9-5-07)

Condition #25

Tehama County Public Works Department

PARK AND RIDE. The Developer shall develop an area with-in Parcel "A" or Parcel "B" for a park and ride facility approximately 10,000 sq. ft. that will be maintained by owner.

(Condition Renumbered at TAC 9-5-07)

Condition #26

Tehama County Public Works Department

BUS STOPS FOR NEW DEVELOPMENT:

The Developer shall meet the requirements set forth in the Tehama County Transit Agency Bus Stop Standards, Policies and Procedures. At such time of development Bus Stop facilities shall be developed and or designated in accordance with these standards.

(Condition Renumbered at TAC 9-5-07)

Condition #27

Tehama County Public Works Department

DRAINAGE REQUIREMENTS: The Developer shall provide a drainage study prepared by a Registered Civil Engineer (RCE) certifying that the proposed drainage facilities comply with the Tehama County Land Division Standards (TCLDS) and that drainage from the proposed improvements will not adversely impact adjacent lands.

a.) The drainage study shall be reviewed and approved by the Tehama County Public Works Department (TCPWD) prior to the commencement of construction.

b.) The drainage study shall identify all factors or conditions that contribute to the present on site and off site impacts of the subject property.

c.) The drainage study shall determine impacts to the existing hydrology on lands upstream and down stream in a typical flooding/inundation event that would be attributed to the full development of the subject property. The 100 year event may need to be retained on site.

d.) The drainage study shall determine what, if any, drainage facilities or other measures that if implemented, will mitigate the hydrological impacts caused by full development of the subject property.

e.) Determine limits of the 100 year flood plain of Blue Tent Creek.

f.) West side of access road, determine and analyze flood limits of Blue Tent Creek.

g.) Development needs to retain peak flow.

h.) Address existing stock ponds in regards to condition, stability, run-off, flow, in and out analysis of ponds.

i.) Storm Water Drainage. Any future planned development shall develop improvement plans for retention of the net increase in run-off resulting from development.
(Condition Renumbered at TAC 9-5-07)

Final Map should contain statement applicable to lots A, B, C and D and note the following conditions for development pursuant to Revised Use Permit #96-18, granted April 18, 2002:

Condition #1.

COMPLIANCE WITH AGENCY REQUIREMENTS. Applicant shall meet the requirements of all Federal, State and local agencies.

Condition #2.

DEVELOPMENT PLAN. Project shall be developed as shown on the Plot Plan submitted with application dated January 8, 2002.

Condition #3.

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) to all sites 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, 9.14.028, 9.14.029, 9.14.030, 9.14.031.

Condition #4.

ROADWAY. 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.

Condition #5.

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

Condition #6.

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".

For parcels less than 1 acre within the SRA, local jurisdictions shall provide for the same practical effect. This will be accomplished through the use of standard construction techniques adopted by Tehama County Fire Department to mitigate less than 30 foot setback.

Condition #7.

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

Condition #8.

FIRE SUPPRESSION WATER FLOW. Project shall comply with fire suppression water flow and hydrant spacing standards (determined by building construction and occupancy type) as required by the current edition of Uniform Fire Code.

Condition #9.

FIRE SPRINKLERS. All commercial buildings shall have automatic fire suppression sprinkler systems.

Condition #10.

TALL BUILDINGS. Approval of buildings taller than 30 feet shall require specific conditions by the Tehama County Fire Marshall.

Condition #11.

ROAD AND BUILDING ACCESS. Transportation (roads) system and building access to be reviewed and approved by the Tehama County Fire Marshal.

Condition #12.

CONSTRUCTION STANDARDS. All construction shall be subject to meeting the fire safety standards as set forth by the National Fire Protection Association and Uniform Fire Code current editions as specified by the Tehama County Fire Marshal at the time of building plan review.

Condition #13.

FIRE SUPPRESSION ASSESSMENT ZONE. The applicant shall establish through the local legislative body of Tehama County, a "Fire Suppression Assessment Zone" under Government Code Section 50078.5 and said legislative body shall set fees to provide for the fair share cost of fire station construction near Nine Mile Hill (or an alternate site near Jellys Ferry Road if the Nine Mile Hill facility is not built); fire station maintenance; staffing of full time personnel serving the project; and operational expenses for the stations at Lake California and Bowman.

- a) Cost share shall not include equipment and or facilities identified in the Tehama County Fire Department Capital Improvement plan and financed through Tehama County Ordinance 1641 Development Impact Mitigation Fees.

Condition #14. Mitigation Measure I .A.1 [RHFEIR Mitigation Measure 4.10.2]

LANDSCAPING AND ARCHITECTURAL STANDARDS. Development plans shall include site and building design standards incorporated into architectural and landscape plans for all proposed development at the commercial portion of the project site. The design standards shall include:

- a) Maximum building height of proposed structures should be two stories, not exceeding 35 feet from grade.
- b) Architectural guidelines that incorporate the site's rural character in the design of the exterior of all structures through the use of massing, shapes, color and materials that blend, rather than contrast with the natural features of the site.
- c) Large paved areas for parking or site access should be landscaped and located to the rear of commercial buildings.
- d) Exterior illumination should consist only of low-pressure sodium lights directed at the ground and towards the interior of the site.
- e) Landscape plans completed by a licensed landscape architect should be designed to create native or orchard-type landscaping that effectively serves to blend the proposed development with the region's rural environment.

Condition #15.

Mitigation Measure # III.B.1 [RHFEIR Mitigation Measure 4.6.1]

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

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

Condition #16.

Mitigation Measure #IV.C.1

RIPARIAN SETBACK. For seasonal wetlands identified on the project, a 50-foot non-structure setback buffer from the high water mark of the wetlands should be established. A 50-foot setback from the high water mark of streams should be established at the edges of perennial riparian habitat zones.

Condition #17.

Mitigation Measure #IV.C.2

CHEMICAL APPLICATION PROHIBITION. Prohibit application of chemicals and human intrusion in retained wetland areas, and maintain all wetland vegetation and hydrology of areas preserved.

Condition #18.

Mitigation #IV.C.3

STREAMBED ALTERATION PERMIT. If any streambed is to be altered, a Streambed Alteration Agreement with CDFG will be required under Fish and Game Code Section 1600 et. seq.

Condition #19.

Mitigation Measure # VII.A.1

STORAGE TANK. The applicant shall comply with construction and monitoring requirements of the California Underground Storage Tank Regulations.

Condition #20.

Mitigation Measure # VII.G.1:

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

Condition #21.

Mitigation Measure #VIII.A.1

WASTE DISCHARGE REQUIREMENTS. The applicant shall submit design specifications for the proposed sewage disposal system to the California Regional Water Quality Control Board (CRWQCB) for their review and meet the Waste Discharge Requirements (WDRs) of the CRWQCB.

Condition #22.

Mitigation Measure #VIII.A.2

CONSTRUCTION ACTIVITY STORM WATER PERMIT. If more than five (5) acres are to be disturbed by construction activities on the site the applicant shall contact the CRWQCB and secure a Construction Activity Storm Water Permit.

Condition #23.

Mitigation Measure #VIII.A.3

DRINKING WATER. The applicant shall comply with regulations contained in the State Drinking Water Act relative to community water supply.

Condition #24.

Mitigation Measure #VIII.H.1

FLOODPLAIN DEVELOPMENT PERMIT. The applicant shall obtain a Floodplain Development Permit from the Tehama County Department of Building and Safety prior to development, including fill and/or excavation. See Mitigation Measures 4.5.4a and 4.5.4b of RHFEIR.

Condition #25.

Mitigation Measure # XV.D.1

RAMP ILLUMINATION. The applicant shall provide illumination of both the north and south bound ramp terminals when deemed necessary by Caltrans at Jellys Ferry Road.

Condition #26.

Mitigation Measure #XV.D.2

PUBLIC WORKS CONDITIONS. The following conditions shall be met prior to the issuance of a Certificate of Occupancy for any of the proposed commercial uses.

a). Developer shall construct the below described improvements and necessary lane stripping on Jellys Ferry Road to facilitate traffic using the proposed commercial access road.

1. Acceleration taper section for east bound traffic.
2. Deceleration taper section for east bound traffic.
3. Left turn pocket for west bound traffic.

b) Developer shall dedicate appropriate Right of Way along Jellys Ferry Road to accommodate the above described improvements.

c) Road improvements shall comply with the requirements of Section III, "ROADS", Paragraph I and Section IV, "DRAINAGE" and applicable Standard Drawings of the Tehama County Land Division Standards, as amended. The typical cross section of the proposed commercial access road shall comply with "TYPICAL ROAD SECTIONS", Drawing No.10-3, Local Road. The structural section of the proposed commercial access road shall be based on "R" value tests and traffic indices.

d) Alternate equivalents may be approved by the County Engineer.

e) The proposed commercial access road shall intersect Jellys Ferry Road at a right angle.

f) Improvement plans prepared by a registered Civil Engineer for roads and storm drainage systems shall be submitted to, and approved by the County Engineer prior to commencement of construction.

g) Developer shall provide the County Engineer with all compaction test results and a certification from a registered Civil Engineer which certifies that all road and related improvements have been constructed in accordance with the standards outlined in the conditions of approval.

h) Developer shall enter into a service agreement with the Department of Public Works to pay for all labor, equipment usage, material and overhead for checking improvement plans and construction inspection of required improvements and cost estimates.

- i) Developer shall offer to dedicate to the County newly created commercial access road, drainage, and public utility easements. All easements offered for dedication which will be privately maintained shall be rejected by the Board of Supervisors. Public utility easement dedications shall be accepted by the Board on behalf of the respective utilities. Dedication of road and drainage easements may be accepted at a future date if roads are accepted into the County maintained system.
- j) Developer shall establish an acceptable method for maintaining the proposed commercial access road.
- k) Proposed street names shall be approved by the Planning Department. Street name and traffic control signs shall be installed per the Land Division Standards.
- l) Developer shall obtain an Encroachment Permit from the Department of Public Works and construct the facilities for private road connection required by said permit.

Condition #27.

Mitigation Measure XV.G.1

PARK AND RIDE. The Developer shall designate an area and shall offer to dedicate to the County approximately 10,000 sq. ft. of the proposed parking lot for the gas station/ mini-mart as reserved for Park and Ride users.

Condition #28

TENANCY RESTRICTION. Individual Tenancy at the R.V. park is not to exceed 90 consecutive days.

Condition #29

ARCHITECTURAL REVIEW. The final plans for the R.V. park shall be reviewed and approved by the Planning Commission prior to construction.

(TIME EXTENSION) TRACT MAP #05-1006, MARK GARSTANG. TO CREATE FOURTEEN (14) PARCELS; SEVEN PARCELS OF .54 ACRES, ONE PARCEL OF .70 ACRES, ONE PARCEL OF .74 ACRES, ONE PARCEL OF .76 ACRES, ONE PARCEL OF .77 ACRES, ONE PARCEL OF .65 ACRES, ONE PARCEL OF .67 ACRES AND ONE PARCEL OF .88 ACRES IN AN RE-MH-B:10; RESIDENTIAL ESTATES-SPECIAL MOBILEHOME COMBINING DISTRICT- SPECIAL BUILDING SITE COMBINING (10,000 SQ. FT.) 1/4 ACRE MINIMUM ZONING DISTRICT. THE PROJECT IS LOCATED IN LOS MOLINOS ON THE NORTH WEST CORNER OF THE SHERMAN STREET / ROOSEVELT AVENUE INTERSECTION. APN: 78-200-25. APPROXIMATELY 9.00 ACRES.

Mr. Robson explained the project, the location and the request for the one year time extension. He explained that the Technical Advisory Committee approved a two year time extension because a two year time extension is what is usually requested, however Mr. Robson stated this project is nearing completion and therefore a one year time extension would be satisfactory. Mr. Robson also explained there were five amendments to the Conditions by CalFire. All the amendments on Conditions 9, 10, 11, 12 and 13 are minor changes and Condition #25 was added.

Chairperson Turri opened the meeting to public comments.

Mr. Mark Garstang, the developer was present and stated he is against the amendments. He stated that the Public Works Department has held up the project on their red line changes and has caused a 10 month delay in the project. He asked the commission approve the extension without the amendments and the addition of Condition #25.

Chairperson Turri closed the meeting to public comments.

A motion was made 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 Subfinding and Finding #1 as presented in the staff report pursuant to the CEQA for Tract Map #05-1006.

Subfinding #1

The Time Extension for Tract Map #05-1006, Mark Garstang, is not substantially different from the previously approved project.

Finding #1

The Negative Declaration adopted for Tract Map #05-1006, Mark Garstang, provides for an end use of the project site which is the same end use that is being proposed by the Time Extension. Therefore, Tract Map #05-1006 is exempt from CEQA pursuant to Section 15162 (a) (b). (Previously adopted Negative Declaration for the project)

A motion was made by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission that Tract Map #05-1006 is exempt from CEQA pursuant to Section 15162(a)(b), previously adopted Mitigated Negative Declaration for the project.

A motion was made by Commissioner Tipton, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission adopt the Subfindings and Findings presented in the Staff Report on Tract Map #05-1006.

Subfinding #1

Tract Map #05-1006 creates fourteen (14) parcels; seven parcels of .54 acres, one parcel of .70 acres, one parcel of .74 acres , one parcel of .76 acres, one parcel of .77 acres, one parcel of .65 acres, one parcel of .67 acres and one parcel of .88 acres in an RE-MH-B:10; Residential Estates-Special Mobilehome Combining District- Special Building Site Combining (10,000 sq. ft.) 1/4 acre minimum Zoning District. The project is located in an area that is designated by the Tehama County General Plan as Suburban Residential which allows for a maximum density of no more than one family unit per .25 acres.

Finding #1

Tract Map #05-1006 is consistent with the Suburban Residential classification of the Tehama County General Plan.

Subfinding #2

Tract Map #05-1006 is subject to 25 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 #05-1006 are consistent with the Tehama County General Plan.

Subfinding #3

The site and location of Tract Map #05-1006 is in an area of level topography. The site does not present any physical difficulties for development.

Finding #3

The site of Tract Map #05-1006 is physically suitable for the type of development proposed.

Subfinding #4

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

Finding #4

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

Subfinding #5

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

Finding #5

That the design of Tract Map #05-1006 or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife or their habitat.

Subfinding #6

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

Finding #6

The development of Tract Map #05-1006 is not likely to cause serious public health problems.

Subfinding #7

All of the proposed parcels will be served by a private cul-de-sac road constructed by the developer. The road will be located outside the existing Sherman Street and Roosevelt Avenue road and utility easements and there are no other easements through the parcel.

Finding #7

That the design of Tract Map #05-1006 or type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the subdivision.

A motion was then made by Commissioner Jones and seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to approve a one year time extension on Tract Map #05-1006.

Condition # 1.

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

Condition # 2.

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

Condition # 3.

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

Condition # 4.

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

Condition # 5.

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

Condition # 6.

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 #7.

UNDERGROUND STORAGE. Underground storage tank must be permanently closed in accordance with California Underground Storage Tank Regulation (Chapter 16 Title 23 CCR).

Condition # 8.

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 Amended by CalFire 8/8/07)

Condition # 9.

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 Amended by CalFire 8/8/07)

Condition # 10.

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 Amended by CalFire 8/8/07)

Condition # 11.

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/or construction; road and/or driveway construction; and fuel modification shall be completed prior to final inspection of a building permit.

(Condition Amended by CalFire 8/8/07)

Condition # 12.

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

(Condition Amended by CalFire 8/8/07)

Condition #13.

Emergency Fire Suppression Water.

A community water system including the placement of a hydrant(s) and street valve(s) with a capacity to flow 750 GPM for a duration of four hours. Specific location of the hydrant 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

A community water system including the placement of hydrants and street valves with a capacity to flow 750 GPM for a duration of four 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.

If the community water system is unable to satisfy the above criterion, 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 Amended by CalFire 8/8/07)

Condition #14.

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

A.) All the pertinent requirements of Title 16, Subdivisions, Chapters 16.04 thru 16.40 of the Tehama County Code, the Tehama County Land Division Standards, the Subdivision Map Act, as amended .

B.) The "NOTE" pursuant to State of California Government Code § 66411.1 (b) (2) per the Tehama County Technical Advisory Committee (T.A.C.) minutes.

C.) The requirements of the Regional Water Quality Control Board regarding storm water permitting.

Condition #15.

DEDICATION OF EASEMENT: The Developer shall dedicate to the public an easement 30' wide half width right-of-way along Roosevelt Ave (Co. Rd. #399) and Sherman Street (Co. Rd. #270) along with a 20' radius return at the intersection of R/W of said roads for **public road**, public utilities and related purposes.

Condition # 16.

ACCESS CONTROL: The Developer shall dedicate to the public a one foot wide non-vehicular access strip described as follows;

A.) All Parcels along Roosevelt Avenue (Co. Rd. #399)

Condition # 17.

LOS MOLINOS MUTUAL WATER APPROVAL: Developer shall obtain authorization and approval from the Los Molinos Mutual Water Company addressing any requirements and easements under their jurisdiction.

Condition # 18.

PUBLIC ROAD IMPROVEMENT REQUIREMENTS:

Prior to recordation, all road, storm drainage systems and related public improvements shall be constructed for full width of Roosevelt Ave (Co. Rd. #399) and Sherman Street (Co. Rd. #270). The public improvements shall be constructed in accordance with the following requirements;

A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE), to the Tehama County Public Works Department (TCPWD) that meet the following;

- 1.) Improvement plans for Roosevelt Ave (Co. Rd. #399) and Sherman Street (Co. Rd. #270) and shall delineate a half width roadway cross-section per Section X of the Tehama County Land Division Standards "**TYPICAL ROAD SECTIONS**" **Drawing No.10 - 2 (Local Road)** with an engineered structural section based on "R" value tests and traffic indices.
- 2.) Improvement plans shall be prepared in accordance with applicable sections of the CalTrans "Highway Design Manual" and Tehama County Land Division Standards, as amended.
- 3.) Said improvement plans shall be checked and approved by the TCPWD prior to recordation.
- 4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor (pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection.
- 5.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the start of any work within a County maintained right of way.

B.) 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 Tehama County Land Division Standards, 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 in accordance with CalTrans construction manual.

C.) The developer shall provide the TCPWD with a copy of Tehama County Fire / CDF approval of above described improvements.

D.) The Director of Public Works **may** approve alternative methods for satisfying the above described condition for the construction of improvements. These methods would include improvements of the entirety of Sherman Avenue from Highway 99 to Roosevelt Avenue to an overall width of 22 feet with 6" of compacted base and a double chip seal.

Condition # 19.

DRAINAGE DESIGN REQUIREMENTS :

A.) The Developer shall provide a drainage design and drainage plans prepared by a Registered Civil Engineer which certifies proposed improvements and appurtenant drainage facilities will not adversely impact adjacent lands. Plans shall include offsite drainage improvements from Roosevelt Avenue to Champlin Slough.

B.) The above said drainage design shall be submitted to the TCPWD for its review and comment prior to the approval of improvement plans and commencement of construction. All pertinent calculations and studies must be included with design for approval.

- C.) Developer shall reimburse the TCPWD, via a Service Agreement, for all costs (pursuant to applicable "Fee Schedule" rates), incurred in the review and processing of drainage design, , improvement plans and construction inspection.
- D.) Identify all factors or conditions that contribute to the present causes of inundation and flooding events that impact the subject property. Including waters discharge from agricultural irrigation onto Roosevelt Ave. and Sherman Street which are then conveyed through the subdivision.
- E.) All drainage channels and pipes shall be constructed within private drainage easements that comply with the following;
- 1.) Minimum easements widths shall be in accordance with the Land Division Standards and delineated on the Final Map.
 - 2.) Maintenance of easements shall be included in the Road Maintenance Agreements established for new private road.
- F.) Determine what, if any, drainage facilities or other measures that implemented to mitigate all hydrological impacts upon by full utilization / development of the subject property.
- G.) Certify that there shall be no adverse impacts on lands upstream and downstream as a result of the full development of the subject property.
- H.) Provide TCPWD improvement plans for drainage facilities that will mitigate all hydrological impacts caused by the full utilization / development of the subject property.
- I.) Improvement plans shall be prepared by a Registered Civil Engineer (RCE), in accordance with Standard Specifications for Public Works Construction "Greenbook" and the Tehama County Land Division Standards, as amended.
- J.) To provide disclosure of the history of flooding and inundation which affects the subject property, the following "CAUTION" shall be placed on the final map prepared for recordation;
CAUTION : FLOODING / INUNDATION
 There is a history of flooding and inundation that affect the lands shown hereon.

Condition # 20.

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

- A.) Developer shall submit improvement plans, prepared by a Registered Civil Engineer (RCE), to the Tehama County Public Works Department (TCPWD) that meet the following;
- 1.) Improvement plans for the proposed private road(s) shall delineate a cross-section shown in Section X of the Tehama County Land Division Standards "**TYPICAL ROAD SECTIONS**" **Drawing No. 10 -2 modified** to add a roadside ditch in place of the curb, gutter and sidewalk with an engineered structural section based on "R" value tests and traffic indices.
 - 2.) Improvement plans shall be prepared in accordance with applicable sections of the CalTrans "Highway Design Manual" and Tehama County Land Division Standards, as amended.
 - 3.) Said improvement plans shall be checked and approved by the TCPWD prior to commencement of construction .
 - 4.) Developer shall reimburse the TCPWD, via a Service Agreement, for all labor pursuant to applicable "Fee Schedule" rates), equipment usage, materials and administrative costs expended by TCPWD in the checking and processing of improvement plans and construction inspection .
 - 5.) The proposed private road right of way shall extend westerly to property line in order to accommodate future private road connection
- B.) Developer shall obtain an Encroachment Permit from the TCPWD prior to the start of any work within a County maintained right of way.
- 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 Tehama County Land Division Standards , 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.

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

E.) Developer shall provide the TCPWD with a copy of Tehama County Fire / C D F approval of above described improvements.

Condition # 21.

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 # 22.

LAND CLEARING PERMIT. No open burning shall occur on this property unless a land clearing permit is obtained from the District.

Condition # 23.

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

Condition # 24.

UTILITIES. Extension to serve the applicant will be made under existing 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 by use by PG&E.

Condition #25

GATE/BARRIER INSTALLATION: Any new barrier or gate installed on any access that qualifies as a road or any access to a commercial or industrial 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 Added by CalFire 8/8/07)

STUDY MATTERS:

Public Interest – Rezoning on Lot 530, Tract 1006 Lake California from General Recreation (GR) to Residential

Mr. Robson explained the letter from Mr. Rubright, representing Lake California regarding Lot 530 of Tract 1006 from General Recreational to Residential. They would like to proceed with the Commissioners setting a Public Hearing to consider public interest in Rezoning that property relative to a potential trade on lands that the water district and property owners association are dealing with on Recreational vs. Residential. Mr. Robson stated he is asking the Commission to adopt a Resolution to set this matter for public hearing to consider no sooner than November.

It was moved by Commission Jones, seconded by Commissioner David and carried by a vote of 4:0:1 of the Tehama County Planning Commission to adopt a Resolution to establish a Public Hearing on November 15, 2007 to consider public interest in rezoning Lot 530, Tract 1006 from General Recreational to Residential.

Chairperson Turri recessed the meeting at 10:10 a.m.

Chairperson Turri reconvened the meeting at 10:20 a.m.

WORK/STUDY SESSION:
Discussion of Draft General Plan Policy Document

Mr. Robson announced that the Commission suggested that they review portions of the plan document and go through the elements over the next several weeks. Meetings will be scheduled on Thursdays for the next several weeks at 9:00 a.m. except for Planning Commission meeting days, on those days the Study Sessions will be held after regular business. Today's discussion is centered around the Introduction – Chapter 1.0; Public Services Element – Chapter 4.0; Economic Development Element – Chapter 5. Subsequent meetings will review Chapter 6.0; Open Space and Conservation Element; Safety Element – Chapter 8.0; and Noise Element – Chapter 9.0. If the Commission completes discussions with editing the elements then they will move on to Land Use – Chapter 2.0; Transportation and Circulation Element – Chapter 3.0; Agriculture and Timber Element – Chapter 7.0. Following discussion relative to the Policy Document the commission will then start on the various and numerous requests and maps by district. Mr. Robson handed out the email received from Commissioner Walker who was absent at today's meeting.

Mr. Robson asked they proceed with points the Commissioners wish to make on each Chapter, and ask if there is consensus with each of those points and record the consensus. Reminding everyone this is not their final action on that particular issue because the voting will not occur until approximately January after the EIR is completed and they have considered that. He explained even after consensus the issues can be revisited at any time should the Commissioners have questions or concerns.

Commissioner David asked if when the Committee went through the document, when they assembled the document, the standard they used was what?

Mr. Robson explained the document was produced by the General Plan Revision Project Advisory Committee (GPRPAC) and the final venting of the document was by the GPRPAC Committee, there were suggestions made by staff and PMC relative to language and policies, issues were brought forward, discussion ensued, there was agreement, consensus and the policy document reflects the Committee's actions. He explained during the last portion of the meetings there were 40 pages of discussion on policy issues, additional policies, expansion of policies, items that the Committee generated.

Commissioner David stated he wanted it on the record that the document was not generated by some other source other than the Committee itself.

Mr. Robson reiterated that staff and PMC did their job as well, staff advised them where there were issues that were unrealistic or not unmeaningful. Mr. Robson stated that thankfully to the Safety Element, CalFire spent a lot of time on the Safety Element.

Tehama County General Plan – Draft Public Review
Chapter 1.0 Introduction

Chapter 1.1 County Overview

Comment received from Commissioner Walker via email:

- 1.1** County Overview – This is 2007, is there a more current population figure available than January 2005? Why use 2002 figures on average maximum temperature? [Page 1.0-5]

Response from Mr. Robson: Best answer from Consultant and Staff is they will do their best to bring these numbers out to the point of current relevancy – it could take another year, however, the numbers are meant to be a reflection of a point of time. Staff will do the best they can to provide current information. Mr. Robson stated that the numbers presented flow through the document and pointed out the Department of Finance puts out numbers each year for the previous year, i.e., 2007 numbers reflect 2006 population figures.

Action: Consensus reached by Commissioners present.

Chapter 1.2 Purpose and Vision

Comment received from Commissioner Walker via email:

- 1.2** Should we refer to the “Land Development & Engineering Design Standards” binder along with the other documents mentioned; i.e., the Tehama County Zoning Ordinance, etc.? [Page 1.0-5].

Response: Land Development and Engineering Design Standards which will be adopted by the time of final action by the Commission. Point taken. Commissioner Jones stated a lot of work went into the document and it should be in the General Plan.

Action: Consensus reached by Commissioners present – Land Development and Engineering Design Standards should be included in the document.

1.3 Legal Basis and Requirements

Commissioner Tipton stated there was a typo on Page 1.0-7, Paragraph 8: “certain polices” should read “certain policies”.

Action: Consensus reached by Commissioners present.

1.4 Tehama County General Plan Overview

Action: Consensus reached by Commissioners present.

1.5 Implementation and Amendment

Comment received from Commissioner Walker via email:

1.5 Implementation and Amendment

Paragraph 2 “Policies in the Agricultural Element specifically suggest that some changes to the plan have additional notification procedures.”...I checked the Ag Element and did not see this mentioned. [Page 1.0-11]

Response: Mr. Robson stated Staff will research the Ag Element.

Commissioner David asked a questions regarding 1.5 Implementation Measure (Page 1.0-11, Paragraph 4): “The Plan should be reviewed annually and the review should be public process open to everyone”, he asked who would do the review?

Response: Mr. Robson answered the review would be done by the Planning Commission or the Board of Supervisors or Staff if there was a determination that it was necessary. Generally speaking staff comes to the Commission, presents annual review, if there are several requests for amendments then staff can request a review of various areas, or constituents may say they are not happy in the first year, the option is always there to take a look at the plan at any time.

Action: Consensus reached by Commissioners present.

Chapter 4.0 Public Services Element

4.1 Introduction

4.2 Overview

Commissioner David asked about the comment in Paragraph 3 regarding Tehama County and Shasta College. The question was raised whether that comment should be stricken from the document.

Response: Mr. Robson suggested the comment be left in the document as there are discussions ongoing with the site. He stated if there is a change, the change will be reflected, if there is no change then this would be an incorrect statement.

Action: REVIEW AT LATER DATE.

Page 4.0-3, Paragraph 1 – “A recent state study, published in 2003, determined dense development that is heavily reliant on septic tank sewage systems is the primary reason that tap water found in some Tehama County homes is high in nitrate levels. The study found that nitrate levels exceed federal and state safety standards in some populated unincorporated areas of the County (Antelope, Hogsback Road, and Los Molinos).” Commissioner David stated the information given to the Commissioners in a workshop this does not appear to be an accurate statement.

Response: Mr. Robson stated this was amended by the GPRPAC because Los Molinos was added. The statement is correct as there are high nitrate levels that have been detected by the analysis in Antelope, Hogsback and Los Molinos. Los Molinos was added. It may be an assumption by the Regional Water Quality Control Board that anything less than 1 acre with septic tanks could create nitrate loading issues. After discussion there was a misunderstanding between nitrate levels and contaminated wells.

Commissioner David asked if under Solid Waste Management is there a necessity to state what is the useful life expectancy and at what rate or leave it out.

Response: Mr. Robson stated the Background Document details that information.

Commissioner David stated he cannot find where we reference to the Background Document.

Response: Mr. Robson stated we may want to add a statement possibly in the introduction that this is not the all inclusive document. The Background Document is a companion document with a lot of facts and figures.

Commissioner David stated that may take care of a lot of the problems Commissioners are having with Ag and some other areas in the public meetings.

Page 4.0-2, paragraph 4, Line 8: Water Supply

Commissioner Tipton asked if “Over 10,000 wells exist in the County.....”, does that include El Camino.

Response: Mr. Robson stated this is based upon the facts as presented by the Consultants. He stated the answer would be “yes”.

Commissioner David asked if there was an Animal Control Officer in the County.

Arthur Wylene stated that duty falls under the Sheriff’s Office.

Page 4.0-3, paragraph 4: County Buildings and Spaces

Commissioner David stated this paragraph implies the County does not have an Animal Control Officer. This paragraph does not indicate the County has an Animal Control Officer.

Response: Mr. Robson stated the County does have an Animal Control Officer on staff.

4.3 Goals, Policies and Implementation Measures

Policy PS-1.1 – Implementation Measure PS-1.1b

Commissioner Turri asked what “Regularly survey” means.

Response: Mr. Robson stated that maybe a phone survey somewhat like they are doing with other issues. Commit to doing something to find out “how are we doing?”

Commissioner Walker’s comment via email:

Page 4.0-5, Goal PS-2 – Should we add to the dedicated lands “Park & Rides on the I-5 corridor” or “transportation centers”, something to ease the traffic on I-5.

Response: Commissioner Jones stated the addition of Park & Ride and Transportation to the wording.

Policy PS-1.3 – Implementation Measure PS-1.3a

Commissioner David asked if this statement had been checked and if it does occur.

Response: Mr. Robson stated it should actually reference a “diagram”.

Policy PS-2.2 – Implementation Measure PS-2.2a

Commissioner David questioned “If conditions of overcrowding and financial hardship are evidenced by the various school districts.....” he stated that is a requirement that occur before the county can establish an ordinance requesting dedication of lands and is that appropriate?

Response: Mr. Robson stated that is a statement of fact. Arthur Wylene stated there are fairly stringent state laws on the subject of when the County can demand fees or land for school sites. He stated the language in question appears to track pretty close the "Schools Facilities Act" which specifically states there have to be findings of overcrowding prior to the county making any such demands.

Mr. Robson stated one other point to follow up with Arthur's comments is the terms overcrowding financial hardship may seem somewhat subjective to the Commission, however, clearly in the law there is criteria or thresholds that are statutorily metered or the bars set by the law and the county has no ability to regulate.

Policy PS-2.2 – Implementation Measure PS-2.2b

Commissioner Tipton asked for an explanation of "per ordinance requirements".

Response: Mr. Robson explained there are park land dedication ordinances for subdivisions. Title 16. Mr. Wylene stated this is also regulated by state law, our subdivision ordinance does provide for dedication of parks and recreation sites. Mr. Robson explained the Commission would need to make findings to the inadequacy or unavailability of park lands in the area.

No changes to pages 4.0-6 and 4.0-7

It was clarified by Mr. Robson that "existing water districts have available resources" refers to domestic water.

Discussion followed regarding the wording of Implementation Measure PS-3.2a and PS3-2b.

Response: Mr. Robson stated that the wording in Implementation Measure PS-3.2a (Paragraph 2) be checked for accuracy. "in place" may need to be reworded, he will discuss with the consultant.

Table 4-1 "Policy Matrix for Location of Land Uses Relative to Water Supply"

Commissioner Walker's comment via email:

Table 4-1, Policy Matrix for Location of Land Uses Relative to Water Supply, how does this relate to the Special Plan Areas on I-5? [Page 4.0-8]

Response: Mr. Robson stated that under Internal Land Use Designations in Special Planning Areas encompass these designations. The answer would be that this is covered because of internal land use designations covered by this Matrix, so it is relevant.

Policy PS-4.2 – Implementation Measure PS-4.2a (Page 4.0-8 – Last Paragraph)

Commissioner Tipton asked if the Commission should include reimbursement of funds for development impacts.

Response: Commissioner Jones stated he agrees with staff that language be used similar to the recent projects before the Commission which required a Condition for Reimbursement of development fees.. Mr. Robson stated that most developers will check into development fees prior to starting a project so they pay their fair share with reimbursement agreements.

Action: Staff to research if rewording should be included.

Policy PS-5.1:

Commissioner David read the Policy and referred to Table 4-2.

Table 4-2 “Policy Matrix for Location of Land Uses Relative to Wastewater Treatment

Commissioner David reviewed the chart and noted “within a specific district with either unused capacity or the potential to add capacity” it does not allow Small Lot or Large Lot.

Response: Mr. Robson stated that you would not require a community facility for Rural Small or Rural Large – they are not intended to be served by community facilities.

Commissioner David asked if in the proposed special districts we have currently do not get into that.

Response: Mr. Robson stated that they are not considered to be rural small or large lots, all their designations are suburban or urban. The costs effectiveness is no cost effectiveness for Rural Small or Rural Large Lot developments at the size of parcels that the Commission would be looking at. Density would be needed to afford community facilities and that is what this Policy means.

Commissioner Walker’s comment via email:

Policy PS-6.1 Page 4.0-10:

Should we not have a goal to protect solid waste facilities with a buffer to prevent urban encroachment?

Response: Mr. Robson stated that Alan Abbs has requested this and we have a point discussion on that subject, it will be in the correspondence packet and we will be adding language on buffering.

Commissioner David asked where we are with Alan Abbs request.

Response: Mr. Robson stated that the Commissioners will review that request from Mr. Abbs and bring it back to the Commission for review and comment.

Commissioner Turri asked how they identify a potential future site for solid waste.

Response: Mr. Robson explained that there would be testing performed and knowing that you have land available, access, etc. the General Plan, analysis and environmental documentation. He stated there are lands adjacent to the landfill which may be a fit. Mr. Robson explained that if the Commissioners have questions which they would like to ask staff from other departments, we can arrange to have the department heads or staff available to answer questions and concerns in their field of expertise.

Action: Have Alan Abbs attend and address issues relative to buffer requirements.

Action: Consensus reached by Commissioners present.

Chapter 5.0 Economic Development Element

Mr. Robson stated this is the Economic Development Element currently in place with little or no change by the Committee, it was adopted some time ago and is now back to the plan for re-adoption.

Policy ED-3.2-Implementation Measure Ed-3.2a

Commissioner David read the policy and stated the word “future” may need to be changed depending on the outcome of the meeting with Shasta College.

Commissioner Walker’s comment via email:

Page 5.0-5, Implementation Measure ED-3.1d – I don't believe this paragraph is necessary since it designates the Rolling Hills Casino and nowhere else have we designated an individual business, entity, etc.

Response: Mr. Robson stated the language may need to be changed to add language "the tribal properties" instead of specifically stating "casinos". Clarification for generality.

Policy ED-3.4 – Implementation Measure ED-3.4c

Commissioner David read the policy. And asked if there was a "Subdivision Ordinance".

Response: Mr. Robson stated that would be Title 16.

Goal ED-4 (Page 5.0-7, 1st Paragraph)

Commissioner Tipton read the goal and asked about the cleanup of car storage lots as an additional goal.

Response: Mr. Robson stated under Land Use and Quality of Life aspects and there is discussion about quality of life and maintaining good environments. This is meant to keep an inventory for potentially developable Commercial and Industrial Lands. There may be places there to add language addressing this issue.

Commissioner Walker's comment via email:

Page 5.0-8, Policy ED-6.1. " and consider land use alternatives such as buffers, green belts, **zoning** and other methods whenever feasible." Add the word "**zoning**".

Response: Mr. Robson stated that was fine and under "other methods" maybe be more specific.

Commissioner Walker's comment via email:

Page 5.0-3, Implementation Measure ED-6.3a - Designate the entity which will "report to the Planning Commission and Board of Supervisors". I assume it is the Planning Director.

Response: Not necessary

Commissioner Turri asked if there were lands that do not have agricultural viability noted.

Response: Mr. Robson stated there are statements as to utilizing those first for other purposes even though they may have an agricultural classification.

Policy ED-6.2 – Implementation Measure ED-6.2

Commissioner Tipton read the Policy. She stated she would like to add "except for selling water out of the area".

Response: Mr. Robson stated that is a prohibited ordinance that prevents you from selling ground water outside of Tehama County. It cannot even be exported off the property. An individual cannot sell "groundwater" to anyone for any reason. It cannot be exported without a special Use Permit. Surface water is not regulated by the groundwater ordinance. Artesian wells are included in groundwater.

Action: Consensus reached by Commissioners present.

OTHER BUSINESS:

October Field Trip – Suggested date is October 18, 2007.

There being no further business, the meeting was adjourned at 11:18 a.m.

GEORGE W. ROBSON, SECRETARY
TEHAMA COUNTY PLANNING COMMISSION

TONY TURRI, CHAIRPERSON
TEHAMA COUNTY PLANNING COMMISSION