

# TEHAMA COUNTY PLANNING COMMISSION

444 Oak Street, Room "I"

Red Bluff, CA 96080

Phone 530-527-2200 Fax (530) 527-2655



Commissioner Bill Moule - Vice-Chairman  
Commissioner Noel Bookout  
Commissioner Gary Durden – Chairman  
Commissioner Sherman Lee  
Commissioner Ian Turnbull

District 1  
District 2  
District 3  
District 4  
District 5

## PLANNING COMMISSION MINUTES

**MINUTES FOR THE MEETING HELD ON:** MARCH 05, 2020

**LOCATION:** BOARD CHAMBERS  
ADMINISTRATION BUILDING  
727 OAK STREET  
RED BLUFF, CALIFORNIA 96080

**COMMISSIONERS PRESENT:** Durden, Lee, Bookout, Turnbull, Moule

**COMMISSIONERS ABSENT:** None

**COUNTY STAFF PRESENT:** Kristen Maze, Director of Planning

### **I. PLEDGE OF ALLEGIANCE**

Chairman Durden led the Pledge of Allegiance

### **II. CITIZENS CONCERNS**

None

### **III. MINUTES OF THE MEETING**

1. Approval of February 20, 2020 Planning Commission Minutes

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bill Moule, Vice-Chairman
<b>SECONDER:</b>	Ian Turnbull, Commissioner
<b>AYES:</b>	Moule, Lee, Bookout, Turnbull, Durden

### **IV. PUBLIC HEARING**

1. ENVIRONMENTAL HEALTH / CODE ENFORCEMENT - Hearing on Notice Issued by the Enforcing Officer in Public Nuisance Enforcement Action Against the Premises
  - A) HEARING - Planning Commission shall hold an administrative hearing to determine whether the conditions existing on the property constitute a public nuisance under Chapter 10.16 (Code) of the Tehama County Code.

Owner: William Bibb  
Site Address: 15970 N. Mendocino Dr., Corning, RTR  
APN: 062-050-006 (District 4)

Chairman Durden opened the Public Hearing.

Code Enforcement Officer, Clint Weston, presented the code case. He stated that photos taken in Nov. 2017 displayed vehicles and debris that may constitute a visual blight. At which time, there had been no correspondence with owner of the parcel. In 2019, he had a follow-up inspection where he saw the continued blight and declared it a Public Nuisance and issued a Notice of Violation. Commissioner Turnbull asked if William Bibb was alive and how did Mr. Weston hear about the residence.

Mr. Weston stated that Mr. Bibb is residing in N. Highlands and no one is living on the property. He also stated a complaint was made by a citizen.

Commissioner Bookout asked if anything had been removed from the property.

Mr. Weston stated that more debris was dumped, but a small box had been removed and things were pilfered.

Mr. Weston stated that the Notice of Hearing was returned unclaimed.

After all witnesses had testified Chairman Durden closed the Public Hearing.

- B) RESOLUTION - Adoption of a Resolution declaring the existence of a public nuisance on the property is a use or condition of the property in violation of Tehama County Code 10.16; any condition which constitutes a visual blight, ordering abatement thereof; and directing an itemized accounting of the costs incurred in abating the nuisance.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Sherman Lee, Commissioner
<b>SECONDER:</b>	Noel Bookout, Commissioner
<b>AYES:</b>	Moule, Lee, Bookout, Turnbull, Durden

- 2. ENVIRONMENTAL HEALTH / CODE ENFORCEMENT - Hearing on Notice Issued by the Enforcing Officer in Public Nuisance Enforcement Action Against the Premises
  - A) HEARING - Planning Commission shall hold an administrative hearing to determine whether the conditions existing on the property constitute a public nuisance under Chapter 10.16 (Code) of the Tehama County Code.

Owner: Jose Manuel Rubulcaba and Cynthia Sanchez Rubulcaba  
 Site Address: 24952 Laurie Lane, Los Molinos  
 APN: 078-270-009 (District 5)

Chairman Durden opened the Public Hearing.

Code Enforcement Officer, Clint Weston, presented the code case. Mr. Weston stated that there had been complaints about noise, truck traffic, and tree service equipment parked at 24952 Laurie Ln, Los Molinos. He states this is a zoning issue.

Commissioner Durden stated that JR’s Tree Service lists the address as a place of business, but it is zoned residential.

Commissioner Moule stated that the owners could list the address, but cannot operate there.

Mr. Weston stated one reporting party complained that the back-up alarm was very loud and happens between 5 A.M. or 6 A.M. He added the vehicles on the street were moved inside the gate. He states that the owners are hoping to find a commercial lot to place their vehicles.

Commissioner Turnbull asked if any members of the public have been going there to do business. He also states that the morning hours seem to be the issue with the noise.

Mr. Weston states that no members of the public go there, it seems to be where the staff assembles before work.

Commissioner Durden stated that if the resolution is not confirmed here today then there is no clout.

Mr. Weston agreed with Commissioner Durden and hopes they can resolve the issue.

Commissioner Turnbull asked what could be done to mitigate the situation. Mr. Weston stated that they are seeking guidance from the Planning Commission.

Property owner, Cynthia Rubulcaba stated that the vehicles on the property are theirs and not employee vehicles. She states they only have one employee vehicle and it has been removed from the property.

Commissioner Turnbull asked Mrs. Rubulcaba at what time do they get started in the morning.

Mrs. Rubulcaba stated they do not start working until 7:30 AM and finish between 3:30 P.M. and 5:30 P.M. She also states she has never read the complaints, but is pretty sure who may have complained.

Commissioner Moule stated this is much to do about nothing, it is not against zoning code to park and back up a vehicle.

Commissioner Turnbull agreed with Moule and stated there had only been one complaint made and the complainant has not identified him/herself so the issue could be resolved.

Commissioner Durden states his concerns on whether it is a legitimate violation or is not legitimate, if not legitimate why it was violated in the first place.

Commissioner Moule states it is not a violation it is a complaint. He also stated the zoning code was used as a way to complain, but there was no violation.

Mr. Weston states that is the fork in the road, he was not certain what constitutes operating a business out of this residence and is looking for guidance.

After all witnesses had testified Chairman Durden closed the Public Hearing.

- B) RESOLUTION - Adoption of a Resolution declaring the existence of a public nuisance on the property is a use or condition of the property in violation of Tehama County Code 10.16; any use of land, buildings, or premises established, operated or maintained contrary to the provision of any provision of the code or state law, ordering abatement thereof; and directing an itemized accounting of the costs incurred in abating the nuisance.

**RESULT:** DENIED [4 TO 1]  
**MOVER:** Bill Moule, Vice-Chairman  
**SECONDER:** Sherman Lee, Commissioner  
**AYES:** Moule, Lee, Bookout, Turnbull  
**NAYS:** Durden

**V. DIRECTOR COMMENTS**

Director Maze said they are short staffed, but hopes to have someone hired soon.

**VI. ADJOURN**

Meeting was concluded at 9:27 AM.