



## ATTACHMENT "D" CONDITIONS OF APPROVAL TPM #25-02

### **CONDITIONS:**

#### **Condition #1**

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

#### **Condition #2**

FIRE SETBACKS. All parcels shall be laid out to allow setback for structure defensible space in accordance with Tehama County Code (TCC) Chapter 9.14, Article V, Section 9.14.071 (a) "All parcels 1 acre and larger within the county shall provide a minimum 30' foot setback for buildings and accessory buildings from all property lines and/or the center of a road". ***Tehama County Cooperative Fire Protection***

#### **Condition #3**

PRIVATE ROAD. Any private road or driveway shall be constructed to meet or exceed the requirements of TCC Chapter 9.14, Article II, Section 9.14.022 "Roadways shall be designed and maintained to support the imposed load of fire apparatus weighing at least seventy-five thousand pounds (75,000 LBS.) and provide an aggregate base," and Section 9.14.023 "The grade for all roads, streets, private lanes, and driveways shall not exceed sixteen percent." ***Tehama County Cooperative Fire Protection***

#### **Condition #4**

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed TCC Chapter 9.14, Article II, Section 9.14.030 - Driveways. Driveway Turnouts and Turnarounds shall meet or exceed TCC Chapter 9.14, Article II, Section 9.14.025 and Section 9.14.026. ***Tehama County Cooperative Fire Protection***

#### **Condition #5**

SETBACKS. All parcels shall be laid out to allow setback for structure defensible space in accordance with Tehama County Code (TCC) Chapter 9.14, Article V, Section 9.14.071 (a) "All parcels 1 acre and larger within the county shall provide a minimum 30' foot setback for buildings and accessory buildings from all property lines and/or the center of a road". ***Tehama County Cooperative Fire Protection***

#### **Condition #6**

PRIVATE ROAD. Any private road or driveway shall be constructed to meet or exceed the requirements of TCC Chapter 9.14, Article II, Section 9.14.022 "Roadways shall be designed and maintained to support the imposed load of fire

apparatus weighing at least seventy-five thousand pounds (75,000 LBS.) and provide an aggregate base,” and Section 9.14.023 “The grade for all roads, streets, private lanes, and driveways shall not exceed sixteen percent.” ***Tehama County Cooperative Fire Protection***

**Condition #7**

EMERGENCY ACCESS. All parcels shall allow for emergency access (driveways) that shall meet or exceed TCC Chapter 9.14, Article II, Section 9.14.030 - Driveways. Driveway Turnouts and Turnarounds shall meet or exceed TCC Chapter 9.14, Article II, Section 9.14.025 and Section 9.14.026. ***Tehama County Cooperative Fire Protection***

**Condition #8**

SIGNAGE. To facilitate locating a fire and avoiding delays in emergency response all roads and buildings shall provide for signage and building numbering that meets or exceed TCC Chapter 9.14, Article III, Sections 9.14.041, 9.14.047, 9.14.048, and 9.14.049. ***Tehama County Cooperative Fire Protection***

**Condition #9**

DEFENSIBLE SPACE. Defensible space is required to be maintained at all times, whenever flammable vegetative conditions exist. One hundred feet (100 ft.) of defensible space clearance shall be maintained around all structures. (TCC Chapter 9.05, Article I, Section 9.05.050). ***Tehama County Cooperative Fire Protection***

**Condition #10**

FUTURE DEVELOPMENT. All projects requiring conditioning shall be subject to the requirements set forth in the currently adopted edition of the California Fire Code. All work shall comply with the latest adopted local, state and federal laws and ordinances whether shown in these documents or not. ***Tehama County Cooperative Fire Protection***

**Condition #11**

FINAL MAP NOTE. Final Map shall contain a note stating the following: Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and a qualified archaeologist shall be consulted, before construction continues. The qualified archaeologist could require the following: including but not limited to, researching and identifying the history of the resource(s), mapping the locations, and photographing the resource. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of any human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains. ***Tehama County Planning Department***

## PRIOR TO FINAL MAP RECORDATION:

### **Condition #12**

LAND DEVELOPMENT STANDARDS: The Developer/Applicant 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 Development and Engineering Design Standards (TCLD&EDS), and the Subdivision Map Act, as amended.
- B. The requirements of the Regional Water Quality Control Board (RWQCB) regarding storm water permitting via Storm Water Pollution Prevention Plan (SWPPP). ***Tehama County Department of Public Works***

### **Condition #13**

- A. ENCROACHMENT PERMIT: The Developer/Applicant shall obtain an encroachment permit from the Tehama County Public Works Department for the new connection on Loleta Ave (Co. Rd. #257) and construct a Standard Drawing # 0911 Road Connection onto Loleta Ave (Co Rd #257) modified to two (2) ten (10) foot lanes, for a total width of twenty (20) feet wide. The encroachment shall be constructed with a minimum of 12" of aggregate base and 3" of asphalt concrete.
- B. Developer/Applicant shall permanently block all existing accesses onto the county right of way except for the above approved location. ***Tehama County Department of Public Works***

### **Condition #14**

DEDICATION OF EASEMENT: The Developer/Applicant shall dedicate to the public an additional Ten (10) foot, total of Thirty (30) foot half width right of way along Loleta Ave (Co Rd #257) for public utilities and related purposes. ***Tehama County Department of Public Works***

### **Condition #15**

GRADING PERMIT: The Developer/Applicant shall submit a Grading Plan and obtain a Grading Permit from Tehama County Public Works prior to the start of any work related to construction of access or building. Developer/Applicant shall submit a Site Development Plan to scale showing all temporary and permanent improvements, preliminary grading, drainage, any piping, tanks or other appurtenances directly relating to this project and how they meet the TCLD&EDS. ***Tehama County Department of Public Works***

### **Condition #16**

WATER QUALITY PERMIT: The Developer/Applicant shall obtain a General Construction Activity Permit from California Regional Water Quality Control Board prior to the start of any work related to road construction of access road, grading or building construction if total disturbed area is greater than one (1) acre. ***Tehama County Department of Public Works***

### **Condition #17**

ROAD IMPROVEMENT: All damage to that portion of Loleta Ave (Co. Rd.

#257), caused by associated Construction Activities (i.e.- Trucking of Equipment, materials, etc..), will require restoration in the form of full width digouts, consisting of 3/4" aggregate base rock compacted to 95% compaction. The depth of the digout will be determined by the County, by inspection, prior to the work being performed. ***Tehama County Department of Public Works***

**Condition #18**

**ROAD IMPROVEMENT REQUIREMENTS:** The Developer/Applicant shall construct all road, and related public improvements in accordance with the Tehama County Land Development and Engineering Design Standards (TCLD&EDS) and the following:

- A. The Private Road shall be constructed in accordance with the modified Standard Drawing No. 0906 – 50' right of way improvement with Two ten (10) foot lanes and Four (4) foot surfaced shoulders.
- B. The structural section for the Private Road shall be designed by using the R-Value of the existing soils and a Traffic Index (TI) of 5.0.
- C. The Private Road shall terminate with the use of a Turnaround as shown on Drawing No. 0919.
- D. The Private Road shall be designed and constructed to provide safe stopping Sight Distance, as Per the Caltrans Highway Design Manual, to traffic approaching from both the East and the West on Loleta Ave (Co Rd #257). Construction shall not commence prior to approval of the improvement plans, grading permit, and encroachment permit by the Tehama County Public Works Department.
  - 1. The Developer/Applicant shall notify TCPWD a minimum of five (5) working days prior to commencement of construction activities.
- E. Developer shall reimburse the TCPWD for all costs related to checking, processing, and inspection activities associated with the improvement plans, documents, and construction activities in accordance with the Tehama County Code.
- F. Developer shall enter into a Service Agreement with the Tehama County Public Works Department to pay for all labor, equipment usage, materials, and administrative costs for checking improvement plans, drainage study, grading plan, inspection of construction improvements, and any other studies or documents
- G. The Developer/Applicant shall provide the TCPWD with a RCE certification that all improvements were constructed in accordance with the approved improvement plans, TCLD&EDS, and applicable sections of the Caltrans Standard Plans and Specifications 2022.
- H. 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.

- I. The Developer/Applicant shall submit AS-BUILT improvement plans prior to acceptance of the completed improvements and/or the release of any improvement security. ***Tehama County Department of Public Works***

**Condition #19**

**DRAINAGE PLAN:** The Developer/Applicant shall submit a Drainage Plan/Hydrology Study consistent with a Hydrology Report approved by Tehama County Public Works prior to the start of any work related to buildings, towers, roadways, drainage culverts, driveways, and storm water facilities that include but are not limited retention/detention facilities, catch-basins, storm water diffusers, outfalls, culverts and road connections. A 100-year design flow check shall be used to ensure that no flooding occurs on-site or off-site due to the development of the project. A 100-year design shall be used to design the size of the detention basin so that no net increase in runoff occurs. Relocate any on-site drainage ditches into a Drainage Easement. Establish discharge path to existing locations with adequate facilities to ensure no "Net-Increase" in run-off from said development. ***Tehama County Department of Public Works***

**Condition #20**

**DRAINAGE REQUIREMENTS:** The Developer/Applicant shall submit documents acceptable to the County demonstrating compliance with Chapter 2.E. of the Tehama County Land Development and Engineering Design Standards (TCLD&EDS). ***Tehama County Department of Public Works***

**Condition #21**

**NESTING BIRDS:** The project area contains suitable habitat for nesting birds protected under California Fish and Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act. Construction activities such as vegetation removal, grading, and the use of heavy equipment could result in both direct and indirect impacts on nesting birds if conducted during the breeding season. Direct impacts may include injury or mortality of eggs, chicks, or adult birds due to disturbance or destruction of active nests. Indirect impacts could involve nest abandonment or reduced breeding success caused by elevated noise levels, human activity, or disruption of adult foraging behavior.

To avoid impacts to nesting birds and/or raptors protected under Fish and Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act, one of the following should be implemented:

- a. Construction activities should occur between September 1 and January 31, when birds are not anticipated to be nesting; or
- b. If construction activities occur during the nesting season, a pre-construction nesting bird survey should be conducted by a qualified biologist to identify active nests in and adjacent to the Project area.

Surveys should begin prior to sunrise and continue until vegetation and nests have been sufficiently observed. The survey should consider acoustic impacts and line

of sight Project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators).

If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and U.S. Fish and Wildlife Service to comply with Fish and Game Code Sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Avoidance and minimization measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists.

Nesting bird surveys should be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction nesting bird survey, the site should be resurveyed. **CALIFORNIA DEPARTMENT OF FISH & WILDLIFE.**

#### **Condition #22**

**INDEMNIFICATION.** As a condition and in consideration of the approval of this Parcel Map, the permittee shall defend, indemnify, and hold harmless, at the permittee's sole expense, the County of Tehama and its employees, officers, contractors, and agents (the "County Indemnitees") from and against the County Indemnitees to attack, set aside, void, annul, or otherwise challenge the County's decision to issue this Parcel Map to the Permittee, which action is brought within the time period provided for in Government Code Section 66499.37. The County shall promptly notify the permittee of any claim, action, or proceeding and shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the local agency. The County may defend any claim, action or proceeding if the County bears its own attorney's fees and costs, and defends in good faith. The permittee shall not be required to pay or perform any settlement unless the settlement is approved by the permittee. **Tehama County Planning Department**