

SUTTER COUNTY PLANNING COMMISSION

MINUTES

December 4, 2002
Supervisors Chambers
Hall of Records
466 Second Street

1. Call to Order

Chairperson Barringer called the meeting to order at 7:00 p.m.

2. Roll Call

Chairperson Barringer requested the clerk call the roll of the Commission. The following members were present and absent:

Members Present: Commissioners Sukhwinder Bajwa, Bruce Capaul, Michael Cartoscelli, Maynard Dunn, J. R. Griffin, and Chairperson Jim Barringer

Members Absent: Commissioner Jana Shannon

Staff Present: Planning Division Chief Tom Last, Associate Planner Steve Geiger, Assistant Planner Will Caplinger, Assistant County Counsel Ron Erickson, Assistant Director Larry Bagley, and Office Assistant Gail Gould

3. Pledge of Allegiance

Chairperson Barringer requested Commissioner Griffin lead the audience, staff and Commission in the Pledge of Allegiance.

4. Approval of Minutes

Commissioner Dunn noted that on page 3 of the minutes, last paragraph, second line, the word “would” should be “should,” and on page 7, second line, “site” should be “sit.” The minutes of the meeting of November 6, 2002 were approved as corrected on motion of Commissioner Dunn, seconded by Commissioner Cartoscelli and carried by a unanimous voice vote of the Commission.

Public Hearings

5. **Variance #02-08 to designate a parcel without street frontage as a building site; AG (General Agricultural) District; located approximately 680 feet west of Dresser Road and approximately 150 feet north of Almendra Road, Yuba City; A. P. #13-315-001; applicants - William & Vanessa Pearce/property owner - Ella F. Lee (Location: District 3 - Commissioner Barringer)**

Associate Planner Geiger summarized the staff report and noted the applicant has provided staff with photographs which he is showing the Commission.

Commissioner Capaul asked for elaboration on why this is the only one of 43 properties without access. Associate Planner Geiger showed on the overhead how he came up with the count. Commissioner Capaul asked if any of the properties to the north were landlocked. Associate Planner Geiger replied there were a couple, but for this analysis, he used only the surrounding properties.

Chairperson Barringer opened the public hearing.

One of the applicants, Vanessa Helder Pearce, stated they were in the process of buying the property. She showed a map of the area. Mrs. Pearce said they want to build a home and raise their two boys in the country.

No further testimony was received and Chairperson Barringer closed the public hearing.

Commissioner Dunn asked if there was a County maintained road on the north side of the property. Associate Planner Geiger responded no, that Dresser Road makes a turn to the north. As part of the sale, the seller will be granting access.

Commissioner Cartoscelli stated they don't want to over think a simple project.

Chairperson Barringer moved to approve the variance subject to the recommended findings and conditions as stated in the staff report. Commissioner Dunn seconded the motion, which carried by a unanimous voice vote.

6. **Rezoning #02-03 to rezone a portion of the subject parcel from the C-2 (General Commercial) District to the C-M (Commercial-Industrial) District; and**
7. **Design Review #02-01 for a proposed 5,400 square foot contractor's warehouse and yard area; C-2 (General Commercial) District; located at the southwest corner of Butte House Road and Tierra Buena Road, Yuba City; A. P. #17-133-015; applicant - Tiffco Electric/property owner - Long Family Trust (Location: District 3 - Commissioner Barringer)**

Associate Planner Geiger summarized the staff report.

Commissioner Bajwa asked where parking would be located. Associate Planner Geiger replied that parking would be located in the front and the trucks would be parked indoors at night.

Chairperson Barringer opened the public hearing.

Frank Tiff, the owner of the building, stated everything around that area is 35 to 45 years old. He said he could not believe anyone would be against developing the property. Right now, it is a field. There are other metal buildings in the area.

Jim Ellis, 1771 Villa Avenue, stated he owns the parcel directly behind where this building would be going. Mr. Ellis said he was concerned about how tall this building would be. The ground has been built up and if Mr. Tiff is going to put in an 18 foot building, it would be very intrusive. Mr. Ellis stated he was also concerned about lighting and the chain link fence. He said he does not feel that is appropriate.

There was no further testimony received and Chairperson Barringer closed the public hearing.

Commissioner Bajwa asked what the setback was from the neighbor's property line and would there be any lights. Associate Planner Geiger replied the applicant shows a 15-foot setback from the neighbor's property line. The elevation does not show exterior lighting. There are requirements in the County's Design Guidelines that lighting will not show on the neighbors' property.

Commissioner Dunn stated he was on the committee for the Yuba City General Plan update. He then discussed the sphere of influence and stated that it is the City's intention that the entire area would be upgraded. There are a lot of areas that could be involved in commercial industrial and this area is not one of them. Even though the area now looks like it would be appropriate, the City would like to have an overall better plan for development.

Chairperson Barringer asked Commissioner Dunn what his thoughts would be if the applicant came back with a better plan. Commissioner Dunn replied the City would like to keep that commercial. Commissioner Cartoscelli stated the project is a good project, but it is not the right place. This is the only way the City can grow. The City is trying to do good planning, which has not been done in the past. Sometimes we have to do things that are difficult and this is one of them. This is a good project.

Chairperson Barringer moved to deny the rezoning and design review based on the recommended findings in the staff report. Commissioner Dunn seconded the motion, which carried by a unanimous voice vote.

8. General Plan Amendment #02-03 to amend the General Plan Land Use Diagram changing the designation of the subject property from AG-20 (Agriculture, 20-acre minimum) to RAN (Ranchette, 3-10 acre minimum); and

9. Rezoning #02-07 to change the zoning classification of the subject property from AG (General Agricultural) District to RAN (Ranchette) District; and

10. Tentative Parcel Map #02-10 to allow the division of a 17.23-acre parcel into four parcels, 3.1 acres, 4.0 acres, 4.9 acres and 5.3 acres; located at 3316 Caminito Avenue, 640± feet north of Barry Road, on the east side of Caminito Avenue, Yuba City; A. P. #23-120-050; applicant/property owner - S. E. Caminito, Inc. (Location: District 5 - Commissioner Shannon)

Assistant Planner Caplinger summarized the staff report and noted that the word “western” in Condition #16 should be “eastern.”

Chairperson Barringer opened the public hearing.

The applicant’s representative, Bill Walker of von Geldern Engineering, stated they have seen the suggested conditions and are in agreement with all of them. Mr. Walker said it is difficult to talk about this application without talking about the Ohri application. He said he has been working on both these projects for some time and thought the Ohri one would come before the Commission before this one. Mr. Walker said they have had meetings and conversations with the Board of Supervisors members and met with the Public Works Committee with the Ohri application. He then talked about the Churkin property and said it became clear the County wanted to have access to the properties by Railroad Avenue and Caminito Avenue. Mr. Walker said if the Ohri application had been approved before this one, then this would have scored higher on the ranchette criteria. Also, if this one were approved, then the Ohri one would have a higher score.

No further testimony was received and Chairperson Barringer closed the public hearing.

Commissioner Capaul asked for clarification on Condition #17 regarding a deferred improvement agreement. Assistant Planner Caplinger replied this has become a standard condition and provides for street paving and no curbs and gutters.

Commissioner Griffin stated ranchettes are in that area he could support the ranchette on this one.

Commissioner Cartoscelli stated this was very consistent and he could also support it.

Commissioner Bajwa stated the Commission has approved other projects like this one in the past and we need to ensure the applicant follows staff’s recommendations.

Assistant Planner Caplinger stated that on page 4 of the staff report, it says the Commission must make “one of the following findings” when it should say “all of the following findings. . .” If the Commission cannot make #1, staff would recommend the road be reduced to 600 feet. Planning Division Chief Last stated staff believes not all of the findings can be made and recommended adding Condition #22 to reduce the cul de sac to 600 feet. Mr. Walker said they were trying to keep the cul de sac as short as possible in order to keep the 200 foot width. The reason this is just under 660 feet is because the one for Mike Churkin is 660. They could pull the cul de sac back 50 feet.

Planning Division Chief Last said perhaps if the parcels were adjusted, then the applicant could meet the findings. Mr. Walker replied it is very difficult to meet all the little requirements.

Commissioner Capaul asked where the cul de sac came from. Planning Division Chief Last replied it is in the County Subdivision Ordinance and is a pretty common requirement. Mr. Walker said the 600 foot rule is a good guideline which was created sometime ago for a higher density. Discussion followed on roads for cul de sacs and lot widths. Planning Division Chief Last said we have had some applications that have had some very odd-shaped lots in order to meet the 200-foot requirement. Commissioner Capaul stated it bothered him that the 600-foot cul de sac makes odd looking lots. Planning Division Chief Last replied the Commission could make the findings for approval or the Commission could make the requirement the applicant adjust the lots.

Commissioner Capaul stated he had concerns about lighting. There are requirements for commercial areas, but not for residential, so it can't be applied to this one.

Commissioner Dunn moved to recommend the Board of Supervisors adopt the General Plan Amendment, Rezoning, and approve the Tentative Parcel Map subject to Findings 1, 2, 3, and 4 to allow for the modification of the subdivision standards, Findings for Approval A, B, C, D, E, F, G, and H and Action Required for Project Approval with the modification to Condition #16 as stated above. Commissioner Cartoscelli seconded the motion.

Commissioner Capaul said he has concerns about ranchettes in general. They take a lot of area out of agricultural land and he hopes we keep the number small.

The motion was carried by a unanimous roll call vote.

- 11. General Plan Amendment #02-04 to amend the General Plan Land Use Diagram changing the designation of the subject property from AG-20 (Agriculture-20 Acre minimum) to RAN (Ranchette, 3-10 acre minimum); and**
- 12. Rezoning #02-09 to change the zoning classification of the subject property from AG (General Agriculture) to RAN (Ranchette) District; and**
- 13. Tentative Parcel Map #02-12 to allow the division of an approximately 12.5-acre parcel into four parcels of ±3.1 acres each; located at 3251 Caminito Avenue, ±498 feet north of Barry Road, Yuba City; A. P. #23-120-057; applicant/property owner - Vinod Ohri (Location: District 5 - Commissioner Shannon)**

Assistant Planner Caplinger summarized the staff report. He noted that the previous application was approved, so staff would recommend approval for this one.

Chairperson Barringer opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen the suggested conditions and are in agreement. The ratio of width to depth exactly matches Churkin. Perhaps they could get the acreage down to three acres.

No further testimony was received and Chairperson Barringer closed the public hearing.

Commissioner Capaul asked about the recommended buffer. Assistant Planner Caplinger replied that because of the agricultural land around the subject property, the buffer is necessary.

Commissioner Dunn moved to recommend the Board of Supervisors adopt the General Plan Amendment, Rezoning, and approve the Tentative Parcel Map subject to Findings 1, 2, 3, and 4 to allow for the modification of the subdivision standards, Findings for Approval A, B, C, D, E, F, G, and H and Action Required for Project Approval. Commissioner Bajwa seconded the motion, which carried by a unanimous voice vote.

14. Comments from the Public

None.

15. Miscellaneous Business from the Commission/Staff

A. Possible cancellation of the second meeting in December (December 18, 2002)

On motion of Commissioner Capaul, seconded by Commissioner Dunn, and carried by a unanimous voice vote, the meeting of December 18, 2002 was cancelled.

B. Possible cancellation of the first meeting in January (January 1, 2003)

On motion of Commissioner Barringer, seconded by Commissioner Griffin, and carried by a unanimous voice vote, the meeting of January 1, 2003 was cancelled.

C. Continued discussion on variances

Chairperson Barringer stated he was not really sure they needed to discuss this because the staff report is clear. Planning Division Chief Last replied that Commissioner Shannon wanted the discussion. As she is not here, the Commission could end the discussion tonight or continue it until she is here.

Chairperson Barringer said variances must be seen on a case by case basis. Commissioner Capaul said perhaps we should not abuse variances. Commissioner Dunn stated they should use as much discretion as possible and try to take some other approach if possible.

Chairperson Barringer stated the discussion was closed.

D. Other business and reports

Planning Division Chief Last stated he had nothing.

Commissioner Capaul said he would like to discuss lighting. There is an ordinance in commercial areas but non in residential areas. Perhaps they should asked the Board of Supervisors to look into it. Mr. Capaul said he would like this on next month's agenda. Commissioner Dunn stated he would also like to discuss ranchettes.

Planning Division Chief Last asked the Commission if they would like to discuss lighting or ranchettes at the January meeting or both. It was the consensus of the Commission that not both be discussed on the same meeting and that lighting be the discussion topic for the next meeting.

16. Report on the Actions of the Board of Supervisors

Planning Division Chief Last stated Board of Supervisors did approve a boundary for the Buttes and continued development standards to December 17, 2002.

17. Adjournment

There being no further business, Chairperson Barringer adjourned the meeting at 8:35 p. m.

Respectfully submitted,

Thomas A. Last, Secretary
Sutter County Planning Commission