

SUTTER COUNTY PLANNING COMMISSION

MINUTES

February 20, 2008
Supervisors Chambers
Hall of Records
466 Second Street, Yuba City

1. Call to Order

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

2. Roll Call

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

Members Present: Commissioners Diljit Bains, Paul Basi, Jana Shannon, and Chairperson Gabriel Singh

Members Excused: Commissioners Annette Bertolini and Jose Flores (Yuba City Commissioner Preet Didbal's appointment expired)

Staff Present: Planning Division Chief Lisa Wilson, Senior Planner Leanne Mueller, Assistant Planner Kevin Yount, Deputy County Counsel Janet Bender, Assistant Director Randy Cagle, Environmental Health Specialist Jan Hill, Public Works Staff James Walton, and Office Assistant Gail Gould

3. **Pledge of Allegiance**

Commissioner Bains led the audience, staff and Commission in the Pledge of Allegiance.

4. **Approval of Minutes**

A. **Minutes of December 19, 2007 and**

B. **Minutes of January 16, 2008**

The minutes of the meeting of December 19, 2007 and January 16, 2008 were approved on motion of Commissioner Shannon, seconded by Commissioner Bains and carried by a unanimous voice vote of the Commission,.

5. Comments from the Public

None.

Continued Public Hearing

6. **Project #07-080 - A variance to waive the requirement that a parcel have 50-feet of frontage upon an accepted and maintained County Road so the property can be considered a “lot” for building purposes; AG (General Agricultural) District; located on Cramer Road in South Sutter County, north of the intersection of Scheiber and Cornelius Roads; A. P. # 28-180-022 & - 024; applicants/property owners - Roderick and Jenny Smith**

Assistant Planner Yount summarized the staff report.

Chairperson Singh opened the public hearing.

Roberta Fletcher, 203 Butte Avenue, stated she was in favor of this because two similar variances were approved in 2004.

The applicant, Roderick Smith, stated they have been farming here for 16 years and simply want to have a home on the property. Dr. Smith talked about the surrounding property, most of which is owned by Max Scheiber and Shannon Scheiber. Dr. Smith said his house would be essentially clustered with their houses.

Chairperson Singh closed the public hearing.

Commissioner Basi stated this seems common sense. These individuals own this property and he feels they should be able to have a home on it. Commissioner Basi said he understood the rules, but sometimes common sense is needed.

Commissioner Shannon stated this is an awkward situation with a landlocked parcel. If a variance in the vicinity was granted previously, that might help this variance.

Commissioner Bains moved to recommend approval of this variance to the Board of Supervisors subject to the recommended findings for approval and conditions of approval as stated in the staff report. Commissioner Basi seconded the motion, which carried by a unanimous voice vote.

Public Hearings

7. **Project #07-065 - A tentative parcel map to divide 79.96 acres into three parcels sized 30, 29.96 and 20 acres; AG (General Agricultural) District; located approximately ¼ mile north of Pease Road, west of Live Oak Boulevard; A. P. #10-260-035; applicant/property owner - Sarbjit S. Basrai.**

Assistant Planner Yount summarized the staff report and stated staff recommends approval of this project.

Planning Division Chief Wilson clarified the action tonight is final, unless appealed, even though the agenda states staff is recommending approval to the Board of Supervisors. Chairperson Singh opened the public hearing.

The applicant's representative, Kyle West of Kwest Engineering, stated he was present to answer any questions the Commission might have and he and the applicant were in approval of the recommended findings and conditions.

Chairperson Singh closed the public hearing.

Commissioner Basi moved to approve this project subject to the recommended findings and conditions as stated in the staff report. Commissioner Bains seconded the motion, which carried by a unanimous voice vote.

8. **Project #07-048 - A rezone from AG (General Agricultural) District to RAN (Ranchette) District and a tentative parcel map to divide an 18-acre parcel into four parcels sized 3, 4, 5, and 6 acres; located south of the rural community of Meridian, on the east side of Meridian Road approximately 450 feet south of D Street; A. P. #13-054-011 and #13-060-011 (portions); applicant/property owner - Burtis Ranch.**

Senior Planner Mueller summarized the staff report and stated staff recommends approval of this project to the Board of Supervisors.

Chairperson Singh opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen all the recommended conditions of approval and are in agreement with all the conditions. Mr. Walker said he would be happy to answer any questions.

Thomas Krull, 780 Meridian Road, Meridian, stated he was here at the request of his wife who was unable to come. Mr. Krull stated his wife was in opposition to this project because she was concerned about the proposed increase in residences in the area.

Lawrence Costa, 16221 D Street, Meridian, asked if the applicant would put in roads if he subdivides. Chairperson Singh replied he believed this property sits on County maintained roads.

Mr. Costa also asked about water because they are on wells and septic systems. Senior Planner Mueller replied the smallest lot is three acres. Environmental Health has reviewed the project and the applicant will have to obtain permits for any wells or septic systems meeting Environmental Health requirements when building permits for residences are applied for.

Mr. Costa then said the lots were too small; they should be split into five acre lots and a smaller one. Chairperson Singh replied there is a formula to split lots. Senior Planner Mueller showed the criteria on the overhead. Commissioner Singh said this is what we are looking at and this application more than meets the criteria.

Chairperson Singh closed the public hearing.

Commissioner Shannon moved to recommend approval of this project to the Board of Supervisors subject to the recommended findings and conditions as stated in the staff report. Commissioner Bains seconded the motion, which carried by a unanimous voice vote.

- 9. Project #07-049 - A rezone from AG (General Agricultural) District to RAN (Ranchette) and a tentative subdivision map to divide a 12.9-acre parcel into three parcels sized 3, 4.3, and 5.6 acres; located south of the rural community of Meridian on the east side of Meridian Road approximately ¼ mile south of D Street; A. P. #13-060-011(portion); applicant/property owner - Burtis Ranch.**

Senior Planner Mueller summarized the staff report and stated staff recommends approval of this project to the Board of Supervisors.

Chairperson Singh opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen all the recommended conditions of approval and are in agreement with all the conditions. Mr. Walker said he would be happy to answer any questions.

Chairperson Singh closed the public hearing.

Commissioner Basi moved to recommend approval of this project to the Board of Supervisors subject to the recommended findings and conditions as stated in the staff report. Commissioner Bains seconded the motion, which carried by a unanimous voice vote.

10. **Project #07-061 - A rezone from AG (General Agricultural) District to RAN (Ranchette) District and a tentative parcel map to divide a 10-acre parcel into two parcels sized 4 and 6 acres; located ¼ mile south of Yuba City at the northwest corner of Starr Street and Walton Avenue; A. P. #23-023-012; applicant/property owner - Kells Enterprises, LP.**

Senior Planner Mueller summarized the staff report and stated staff recommends approval of this project to the Board of Supervisors.

Chairperson Singh opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen all the recommended conditions of approval and are in agreement with all the conditions. Mr. Walker said he would be happy to answer any questions.

James Kells, Oregon, said he just found out about this and would like time to seek counsel to see if it is to his benefit. Senior Planner Mueller stated that when staff gets an application like this, they get a preliminary title report. As far as staff is concerned, Kathy Kells Garner is a general partner and has the ability to sign the application and has done so.

Kathy Kells Garner, 8818 North Butte Road, stated she is the general partner and manager and has full authority to buy or sell or do whatever is needed for the trust.

Chairperson Singh asked counsel if they should continue this to get information about the owner. Deputy County Counsel Bender replied if the Commission is not comfortable, they can continue the application and request the partner to provide more information.

Commissioner Shannon clarified that the ownership is not part of the Commissions business.

Commissioner Bains asked Mrs. Garner if there was anything else that states she is a general partner. Mrs. Garner replied yes, but it is not with her tonight. This is the first concern she has heard about this.

Chairperson Singh stated he would entertain a motion to continue.

Commissioner Shannon moved to continue this item to an unspecified date to be determined by staff. Commissioner Basi seconded the motion, which carried by a unanimous voice vote.

11. **Project #07-062 - A rezone from AG (General Agricultural) District to RAN (Ranchette) District and a tentative subdivision map to divide a 19-acre parcel into four parcels sized 3, 4, 5, and 7 acres; located ¼ mile south of Yuba City on the north side of Starr Street, approximately 600 feet west of Walton Avenue; A. P. #23-023-014; applicant/property owner - Kells Enterprises, LP.**

Senior Planner Mueller stated that given this is the same property owner and same situation as before, staff recommends continuing this also.

Senior Planner Mueller summarized the staff report and stated staff recommends approval of this project to the Board of Supervisors.

Commissioner Shannon asked when the moratorium became effective. Senior Planner Mueller replied that was on November 9, 2007. Staff has not taken in any new ranchette applications since that time, and there is quite a backlog. Chairperson Singh opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen all the recommended conditions of approval and are in agreement with all the conditions. Mr. Walker said he would be happy to answer any questions.

Marc Snyder, 1721 Starr Street, stated they own parcel 013 (the 1-acre parcel bordered by the Kells property). He talked about side yards and said this will have an impact on their view. Mr. Snyder said a lot line adjustment would allow them to conform to the property around them. Bill Walker stated he did not see any reason why the Kells could not impose some building setback to accommodate Mr. and Mrs. Snyder. Mr. Walker said he would be glad to meet with them.

Commissioner Shannon moved to continue this item to an unspecified date to be determined by staff. Commissioner Bains seconded the motion, which carried by a unanimous voice vote.

12. Miscellaneous Business from the Commission/Staff

A. Possible cancellation of the first meeting in March (March 5, 2008)

Chairperson Singh directed the meeting of March 5, 2008 be cancelled.

B. Report on the Actions of the Board of Supervisors

Planning Division Chief Wilson stated that the Board of Supervisors approved four ranchette projects -- two for Devinder Tumber, one for Dalvir Bains and one for IPS Farming. Planning Division Chief Wilson also said the use permit for the Still brothers was extended for five years and the Dhami AP/APR rezone received a motion of intent to approve the general plan amendment.

Planning Division Chief Wilson introduced John Sanbrook, who is replacing Preet Didbal as representative from the City of Yuba City.

C. Planning Commission/Board of Supervisors Discussion Topics

None.

D. Other Business and Reports

Commissioner Shannon stated she had concerns about agricultural divisions. In some counties 20 acres is considered a Ranchette and she would like to see a moratorium on land divisions that create 20 acre parcels.

13. Adjournment

There being no further business, Chairperson Singh adjourned the meeting at 8:00 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary
Sutter County Planning Commission

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