

SUTTER COUNTY PLANNING COMMISSION

MINUTES

June 18, 2008
Supervisors Chambers
Hall of Records
466 Second Street, Yuba City

1. Call to Order

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

2. Roll Call

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

Members Present: Commissioners Diljit Bains, Paul Basi, Annette Bertolini, Jose Flores, J. R. Griffin, John Sanbrook, .and Chairperson Jana Shannon.

Members Excused: None.

Staff Present: Principal Planner Doug Libby, Principal Planner Steve Geiger, Senior Planner Leanne Mueller, 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. Nominations and Election of Vice-Chairperson

Upon motion of Commissioner Griffin, seconded by Commissioner Bertolini, Commissioner Bains was elected as Vice-Chairperson by a unanimous voice vote of the Commission.

4. Pledge of Allegiance

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

5. Approval of Minutes

Commissioner Sanbrook stated he had two corrections to the minutes of May 21, 2008, both occurring on Page 6. In the first complete paragraph, Mr. Sanbrook stated that Mr. Laney opposed the approval of the three 20-acre parcels. In the fifth complete paragraph, Mr. Sanders should be Mr. Sanbrook.

Commissioner Sanbrook moved to approve the minutes of May 21, 2008 as corrected.

Commissioners Bains and Basi stated they had viewed the May 21, 2008 video of Project #06-004.

Commissioner Bertolini seconded the motion for approval of the minutes, which carried by a voice vote with Commissioner Basi abstaining.

6. Comments from the Public

None.

Continued Public Hearing

- 7. Project #06-004 - A General Plan Amendment from AG-20 (Agriculture, 20-acre minimum) to IND (Industrial), a rezone from AG (General Agricultural) District to C-M PD (Commercial-Industrial, Combining Planned Development) District and M-1 PD (Light Industrial, Combining Planned Development) District and design review approval to establish a truck stop on 33± acres; located at the southeast corner of the intersection of Eager Road and the Onstott Frontage Road north of Yuba City; A. P. #10-260-027, -028, & -067; applicants/property owners - Scott Powell and Piara Johl**

Principal Planner Libby presented the request for a General Plan amendment, rezone and design review approval to establish a truck stop. Principal Planner Libby stated that staff recommends denial of the project.

Chairperson Shannon reopened the public hearing.

The applicant, Scott Powell, stated he was present to answer any questions. To readdress, at the last meeting this was sent back to staff for findings and conditions. Mr. Powell said they agree with the proposed conditions.

Chairperson Shannon closed the public hearing.

Commissioner Sanbrook stated he expressed his opposition to this project at the last meeting and agrees 100 percent with the initial staff report. He does not question the need for this project, but it is in the wrong location. Commissioner Sanbrook said this is leap frog industrial use. We are converting prime agricultural land to urban development and that can only result in conflict. There are 4,700 acres set aside for commercial and industrial use, 3,500 being in south Sutter County. Commissioner Sanbrook stated he could not understand how the General Plan could be violated as this project does. The General Plan urges the preservation of agricultural areas for agricultural uses. Urbanization in our General Plan can only result in conflict. Standards to allow agricultural land to urban ways are not being met. Commissioner Sanbrook stated that for those reasons he is opposed to this project in this location. Commissioner Sanbrook stated there is another project proposed this evening on Reed Road. That is an area designed for this type of use.

Commissioner Basi stated he had the opportunity to view the video of the last meeting and agrees with Chairperson Shannon that this is one of the best projects to come along.

Commissioner Basi agreed with Commissioner Bertolini's comments to look to the north. Commissioner Basi stated he could support this.

Chairperson Shannon stated the Commission does have discretionary approval and can make a recommendation to the Board of Supervisors. Chairperson Shannon said she would much rather give this an approval at this time and let the Board of Supervisors make a decision because they have indicated the focus of the General Plan is changing.

Commissioner Bertolini moved to recommend approval to the Board of Supervisors subject to the findings for approval and conditions of approval as stated in the staff report. Commissioner Bains seconded the motion, which carried by a roll call vote with Commissioner Sanbrook voting in the negative and Commissioner Flores abstaining.

Public Hearings

- 8. Project #07-089 - 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 of 3 and 7-acres in size; located on the west side of Garden Highway, approximately 1,100 feet north of Barry Road. A. P. # 23-120-027; applicant - Jeffrey Cryer/property owner - Garden Highway Church of Christ of Yuba City**

Senior Planner Mueller presented the request for a rezone and tentative parcel map and stated staff recommends approval. Senior Planner Mueller stated the applicants were not able to be present to night but were in agreement with all the conditions.

Commissioner Sanbrook asked if the applicant would have to foot the whole bill for Lateral G6. Public Works Engineer James Walton replied it would be a joint venture with the people in the area.

Commissioner Sanbrook asked what triggers the requirement that the deferred improvement agreement goes into effect. Public Works Engineer Walton replied that would happen whenever Public Works deems it necessary for traffic.

Chairperson Shannon opened and closed the public hearing with no testimony being received.

Commissioner Sanbrook asked what the attitude is at this point in the General Plan for ranchettes. Chairperson Shannon replied the Commission has made a study and have made recommendations that ranchettes be eliminated.

Commissioner Griffin asked if there was a moratorium on further ranchettes. Chairperson Shannon said yes.

Discussion followed about what determines application completeness. Senior Planner Mueller replied an applicant can come in with completed applications, but upon review by staff, additional studies may be required.

Chairperson Shannon closed the public hearing.

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

Commissioner Sanbrook stated he was opposed to ranchettes, but since this project met all the criteria, he must vote yes.

9. **Project #07-047 - A rezone of the subject 5-acre property from M-1 (Light Industrial) District to C-M (Commercial-Industrial) District to allow for the sale of truck and recreational vehicle accessories; design review for an existing 3,000 and proposed 20,000 square foot buildings to provide sales area and building, office, shop, and storage area for the proposed business; located at 1263 Reed Road, northeast corner of the intersection of Reed Road and State Highway 99; Yuba City; A. P. #23-052-004; applicant/property owner - Trinity Sierra Properties LLC**

Principal Planner Geiger presented the request for a rezone and design review and stated staff recommends approval.

Commissioner Sanbrook stated this is a good use for this property, but asked why it didn't require a General Plan amendment. Principal Planner Geiger replied the proposed C-M zoning is consistent with the existing Industrial General Plan designation. In response to another question from Commissioner Sanbrook, Principal Planner Geiger said the applicant cannot be accommodated in the existing M-1 district because of the 15 percent retail sales area limitation. The C-M zoning will also allow them to sell items not manufactured on site.

Chairperson Shannon opened the public hearing.

The applicant's representative, Lew Hudspeth of Hudspeth Construction, stated he believes this will be the nicest building coming into Yuba City from the south. They will be adding landscaping. It is a great project and he hopes the Commission supports it.

George Leighton, 1210 Reed Road, stated he has concerns, but he is not necessarily opposing the project. The project site is an eyesore now. One of his concerns is traffic. When the previous business was there (Moore Trucking), there were some problems with large trucks accessing Reed Road from Highway 99. Mr. Leighton said he was concerned about the type of paving if the road was widened and paved. He was also concerned about the future uses of the site.

Commissioner Sanbrook said the staff report said that the paving would be to local road standards.

Chairperson Shannon closed the public hearing.

Commissioner Basi stated he was glad to see something worthwhile coming to the site.

Chairperson Shannon stated the elevations were wonderful.

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

10. Miscellaneous Business from the Commission/Staff

A. Possible cancellation of the first meeting in July (July 2, 2008)

Chairperson Shannon directed the meeting of July 2, 2008 not be cancelled.

B. Report on the Actions of the Board of Supervisors

Principal Planner Libby stated a study session with the Board of Supervisors was held on June 3 and mining requirements and aquaculture was discussed. Principal Planner Libby also reported that an appeal of the DeSilva Gates' project approval was received and would be going to the Board of Supervisors for hearing on June 24 as well as the hearing on the Walnut Avenue Community Center. Staff is also looking to schedule a joint Planning Commission and Board of Supervisors meeting for July 24th to discuss the General Plan Update.

C. Planning Commission/Board of Supervisors Discussion Topics

Chairperson Shannon stated she would like to see gas wells on the agenda for a future joint study session.

D. Other Business and Reports

None.

12. Adjournment

There being no further business, Chairperson Shannon adjourned the meeting at 7:53 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary
Sutter Country Planning Commission

P:\Planning\Planning Commission Minutes\2008 Minutes\06-18-08