

SUTTER COUNTY PLANNING COMMISSION

MINUTES

October 15, 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 Annette Bertolini, Jose Flores, J. R. Griffin, John Sanbrook and Chairperson Jana Shannon

Members Excused: Paul Basi

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

Chairperson Shannon introduced Tejinder Dosanjh, in the audience, as the new commissioner representing District 4

3. Pledge of Allegiance

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

4. Approval of Minutes

The minutes of the meeting of September 17, 2008 were approved as submitted on motion of Commissioner Sanbrook, seconded by Commissioner Griffin and carried by a voice vote of the Commission, with Commissioner Bertolini abstaining.

5. Comments from the Public

None.

Continued Public Hearing

6. Project #08-025 - Zoning Code text amendment to permit the use of private roads for access in industrial zones; located Countywide; initiated by the Sutter County Board of Supervisors

Chairperson Shannon said she had watched the tape of this project since she was absent at the last meeting and would, therefore, be eligible to vote on this project tonight.

Planning Division Chief Wilson presented the staff report and stated staff recommends approval to the Board of Supervisors.

Commissioner Sanbrook said in connection with the public right-of-way dedication and improvements, he sees where one family residences shall be exempt from any additions or alterations. He asked if that was true regardless whether or not the additions or alterations impact the parking demand or occupancy load. If it exceeds 10 percent would it still apply and is that the intention. Planning Division Chief Wilson replied if there is an expansion greater than 10 percent, the codes are applicable. If you increase the size of a business, then you would have to conform to the current codes.

Commissioner Sanbrook stated he had the same question regarding new construction. Planning Division Chief replied this is existing language which staff has not proposed to change. It was written back in the 80's. If there is an expansion greater than 10 percent, then the current codes are applicable.

Chairperson Shannon stated should there be any further question, this can be amended. Planning Division Chief Wilson confirmed that.

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

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

Public Hearings

7. Project #08-004 - A use permit to recognize an existing cemetery; and permit the installation of a new 1,440 square foot modular office building; AG (General Agricultural) District; located at 3545 Pennington Road, Live Oak; Assessor's Parcel Nos. 09-070-011, -036, and 09-080-034; applicant/property owner - Live Oak Cemetery District

Senior Planner Vergis presented the request for a use permit to recognize an existing cemetery; and permit the installation of a new 1,440 square foot modular office building and stated staff recommends approval.

Chairperson Shannon confirmed the cemetery has owned this land for a long time and just has not converted it to public zoning and that the adjacent property is the other cemetery.

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

Commissioner Bertolini moved to approve the use permit 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.

8. Project #07-088 - A use permit to allow the operation of an agricultural trucking facility with up to twelve trucks on a 1.6-acre agricultural parcel; AG (General Agricultural) District; located at 1227 O'Banion Road, Yuba City; Assessor's Parcel No. 23-300-158; applicant - Shaminder Dhami/ property owner - Ramon Dhami

Assistant Planner Yount presented the request for a use permit to allow the operation of an agricultural trucking facility with up to twelve trucks on a 1.6-acre agricultural parcel and stated staff recommended approval.

Commissioner Sanbrook asked how we ensure these facilities are devoted exclusively to the transportation of agricultural products. Assistant Planner Yount replied the applicant has specified that is what they will do and we will have to take their word.

Chairperson Shannon opened the public hearing.

Julio Tinajero of Milestone Associates said they are the design firm for the project. The property insurance will ensure that will be the use.

In reference to Condition 17, Commissioner Sanbrook asked about STAA conditions. Planning Division Chief Wilson replied STAA trucks are not proposed to be used on this site. That is why they are under the advisory conditions section. If they propose to use these longer trucks, then they would have to prove they can meet the requirements. Chairperson Shannon closed the public hearing.

Commissioner Sanbrook asked if we are saying they cannot come north on Garden Highway and then turn west on O'Banion to the facility. Planning Division Chief Wilson said that is being identified. This is to control where that truck route would be in the future.

Commissioner Bertolini moved to approve the use permit 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.

9. **Project #08-023 - A tentative parcel map to divide a 30±-acre parcel into a 2-acre homesite parcel and a 28±-acre parcel; A-2 (Exclusive Agricultural) District; located at 11178 Township Road; Assessor's Parcel Nos. 08-080-005, and -006; applicant - James Jean/property owner - Jean Family Trust**

Senior Planner Mueller presented the request for a tentative parcel map to divide a 30±-acre parcel into a 2-acre homesite parcel and a 28±-acre parcel and stated staff recommends approval.

Chairperson Shannon opened the public hearing.

Julio Tinajero of Milestone Associates stated they were the surveyor of record and would like to request Conditions 4 and 5 be waived. This is a family owned and operated business.

Chairperson Shannon closed the public hearing.

Chairperson Shannon states she would not be in opposition to deleting Conditions 4 and 5.

Commissioner Bertolini moved to approve the tentative map subject to the recommended findings and conditions as stated in the staff report including the deletion of Conditions 4 and 5. Commissioner Griffin seconded the motion, which carried by a unanimous voice vote.

10. **Project #07-096 - A tentative parcel map to divide 27 acres into a 2-acre homesite parcel and a 25-acre parcel; AG (General Agricultural) District; located at 2774 Nuestro Road, Yuba City, approximately ¼ mile west of Tierra Buena Road; Assessor's Parcel No. 10-230-014; applicant - Aslam Kahn/property owners - Rafique & Saghiran Ahmad**

Assistant Planner Yount presented the request for a tentative parcel map to divide 27 acres into a 2-acre homesite parcel and a 25-acre parcel and stated staff recommends denial of the project. Assistant Planner Yount noted the applicant will be requesting a one month extension and staff is agreeable to that since staff was contacted by a professional mobile home remover just today.

Commissioner Sanbrook said there is a notation on the plot plan the mobile homes are abandoned and used for storage and asked if that changed the picture. Assistant Planner Yount replied it does not. To change the use of the mobile homes to storage has to be done through a state permit.

Chairperson Shannon asked if this would come back to the Commission with a full picture if the mobile homes were removed. Assistant Planner Yount replied it would.

Chairperson Shannon opened the public hearing.

The applicant, Aslam Kahn, stated they would like a continuance because one mobile home is being removed tomorrow and the other one within three weeks. Staff has been very generous, but he thinks they can comply with the removal of the mobile homes within 30 days.

Chairperson Shannon closed the public hearing.

Commissioner Sanbrook moved to continue this project to the meeting of November 19, 2008. Commissioner Griffin seconded the motion which carried by a unanimous voice vote.

11. Project #08-022 - A Planned Development Amendment to increase the height of an existing 115-foot tall monopole wireless tower to 130-feet and expand an existing 625 square foot lease area by an additional 300 square feet to accommodate additional equipment buildings; M-1-PD (Light Industrial, Combining Planned Development) District; located at 15871 Central Street, Meridian; Assessor's Parcel No. 13-112-022 applicant - Metro PCS California LLC/property owner - Pacific Gas and Electric Company

Principal Planner Libby presented the request for a Planned Development Amendment to increase the height of an existing 115-foot tall monopole wireless tower to 130-feet and expand an existing 625 square foot lease area by an additional 300 square feet to accommodate additional equipment buildings and stated staff recommended approval.

Commissioner Sanbrook asked if there had been any input from the school district across the street. Principal Planner Libby replied they were notified twice and they had no comments.

Chairperson Shannon opened the public hearing.

The applicant's representative, Ken Crouse, thanked Principal Planner Libby for his excellent presentation and stated he would be happy to answer any questions. There were no questions and Chairperson Shannon closed the public hearing.

Commissioner Sanbrook requested clarification on the access to the property, which Principal Planner Libby explained.

Commissioner Griffin moved to approve this project 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.

12. Definition of a County officer

Chairperson Shannon noted this had already been included at the September meeting.

13. Miscellaneous Business from the Commission/Staff

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

The meeting of November 5, 2008 was not cancelled.

B. Report on the Actions of the Board of Supervisors

Planning Division Chief Wilson stated there was no action to report.

C. Planning Commission/Board of Supervisors Discussion Topics

None.

D. Other Business and Reports

None.

14. Adjournment

There being no further business, Chairperson Shannon adjourned the meeting at 7:47 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary
Sutter County Planning Commission

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