

# SUTTER COUNTY PLANNING COMMISSION

## MINUTES

November 5, 2008  
Supervisors Chambers  
Hall of Records  
466 Second Street, Yuba City

### 1. Call to Order

Planning Division Chief Wilson called the meeting to order at 7:00 p.m. Planning Division Chief Wilson said the by-laws state that in the absence of the Chairperson and Vice-Chairperson the Secretary shall call the meeting to order and a Chairperson Pro Tem shall be elected by the members present to serve as presiding officer during the meeting. Upon motion of Commissioner Sanbrook, seconded by Commissioner Flores, Commissioner Griffin was elected to serve as Chairperson Pro Tem.

### 2. Roll Call

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

Members Present: Commissioners Paul Basi, Tejinder Dosanjh, Jose Flores, John Sanbrook and Chairperson Pro Tem J. R. Griffin

Members Excused: Commissioner Annette Bertolini and Chairperson Jana Shannon

Staff Present: Planning Division Chief Lisa Wilson, 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

### 3. Pledge of Allegiance

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

### 4. Approval of Minutes

The minutes of the meeting of October 15, 2008 were approved as submitted on motion of Commissioner Sanbrook, seconded by Commissioner Flores and carried by a voice vote of the Commission, with Commissioner Basi abstaining.

### 5. Comments from the Public

None.

## **Public Hearings**

- 6. Project #08-007 - A tentative parcel map to divide 42.4 acres into one 2.05-acre homesite, one 20.1-acre parcel, and one 20.2-acre parcel; A-2 (Exclusive Agricultural) District; located on the west side of Tierra Buena Road, to the north of Pease Road and to the south of Nuestro Road; Assessor's Parcel No. 10-230-063; applicant - Holton Harter/property owner - Harter Family '98 Trust**

Senior Planner Vergis presented the request for a tentative parcel map to divide 42.4 acres into one 2.05-acre homesite, one 20.1-acre parcel, and one 20.2-acre parcel and stated staff recommended approval.

Commissioner Sandbrook asked if a decision had to be made tonight as to which of the remainder parcels would be subject to development rights and open space easement. Senior Planner Vergis replied it did not have to be done right this minute, but it will have to be designated if the project is approved.

Chairperson Pro Tem Griffin opened the public hearing.

The applicant's representative, Bill Walker of von Geldern Engineering, stated they have seen all the suggested conditions of approval and are in agreement with all of them except Conditions 7, 15, 17, 18, and 19 which all address buffers. Mr. Walker said that in the past buffers were required on the homesite parcels. Now, they are requesting residential exclusion areas around the perimeters of large agricultural parcels. One of the requirements is a 100 foot residential exclusion area along the south lines of Parcels 2 and 3 and the width on Pease Road and on the intercepting canal exceed a hundred feet. Mr. Walker said they object to those residential exclusionary and vegetative barriers that are listed and asked that they be deleted from the conditions of approval.

Commissioner Sanbrook asked Mr. Walker if they had a problem with the 100 foot exclusion area on Parcel 1, the homesite parcel. Mr. Walker replied no, it is a residential exclusion and not a landscape requirement.

Commissioner Basi asked if there was any other possible configuration other than flag lots. Mr. Walker replied the property does not go to Pease Road; the State owns the intercepting canal between the property and Pease Road, so this property does not touch Pease Road.

Chairperson Pro Tem Griffin closed the public hearing.

Commissioner Sanbrook stated he wanted to be sure the 100 foot residential exclusion remains on Parcel 1.

Commissioner Sanbrook moved to approve the tentative parcel map subject to the recommended findings and conditions as stated in the staff report, with the deletion of Conditions 7, 15, 17, 18, and 19 and with the understanding the 100 foot exclusionary

buffer on Parcel 1 remains. Commissioner Basi seconded the motion, which carried by a unanimous voice vote.

7. **Project #08-019 - A tentative parcel map to divide 306± acres into a 158.7-acre and a 148.18-acre parcel; AG (General Agricultural) District; located on the southwest corner of Byington Road and Reclamation Road; Assessor's Parcel No. 29-190-034; applicant - Ralph Bulkley/property owner - MCM Properties, Inc.**

Assistant Planner Yount presented the request for a tentative parcel map to divide 306± acres into a 158.7-acre and a 148.18-acre parcel and stated staff recommends approval. Assistant Planner Yount stated the applicant has requested Condition 10 be removed. Assistant Planner Yount said staff has no problem with that.

Chairperson Pro Tem Griffin opened the public hearing.

The applicant's representative, Greg Coyner, with Key & Associates, stated they have reviewed all of the conditions and are in agreement with them with the exception of Condition 10.

Chairperson Pro Tem Griffin closed the public hearing.

Commissioner Sanbrook moved to approve the tentative parcel map subject to the recommended findings and conditions as stated in the staff report, including the deletion of Condition #10. Commissioner Basi seconded the motion, which carried by a unanimous voice vote.

8. **Project #07-039 - A use permit to allow the construction and operation of a church facility; AG (General Agricultural) District; located at 3358 Sankey Road, Pleasant Grove; Assessor's Parcel No 35-160-036; applicants/property owners - Vicente and Rebecca Vargas**

Senior Planner Vergis presented the request for a use permit to allow the construction and operation of a church facility and stated staff recommends approval. As a point of clarification Senior Planner Vergis noted that a letter in support and been received and provided to the Commission and that the use of the facility does include weddings, etc.

Commissioner Sanbrook expressed concern about the new well and septic area. Senior Planner Vergis replied there are two conditions that will address those concerns. Planning Division Chief Wilson clarified the difference between designated and replacement areas.

Commissioner Sanbrook stated he would like to see a connection with the new General Plan where churches could be placed in a new public facility zone.

Commissioner Basi disagreed and said churches should be allowed in agricultural zones because they are community things and people should have the flexibility to walk to church if they want to.

Chairperson Pro Tem Griffin opened the public hearing.

The applicant, Rebecca Vargas, stated there is a need in the community for a church and they have a lot of support in the community. They also have bible studies now.

Commissioner Flores asked if they would have weddings and parties. Mrs. Vargas replied they would like to have ceremonies suited to church. Commissioner Flores then asked if alcohol would be served. Mrs. Vargas said she had not thought of that, but there could be. However, their main focus is church activities.

Commissioner Sanbrook asked if they had an outdoor area where they would have some of their functions. Mrs. Vargas replied yes, there is a courtyard available for carnivals, fundraisers, or if someone needs to utilize that space.

Commissioner Sanbrook stated he thought it was a worthwhile project and one that is needed in the Pleasant Grove area.

Commissioner Basi said this would be a use permit for a church and church activities and asked how that would play into a wedding reception serving alcohol. Planning Division Chief Wilson said they would need to contact Alcoholic Beverage Control for a temporary permit and there would likely be an insurance requirement that is rather expensive.

Mark McMurray, (address unknown), Elverta, said they have been in the area since he was a kid and have been involved in the community as long as he can remember. They have always enjoyed the community feeling, and friends and family. However, even though they go to school together, work together, play together, they have to go to Sacramento or Roseville, or Yuba City to go to church together. Mr. McMurray said they were very excited to see this project. He thanked the Planning Commission and staff for their help.

Chairperson Pro Tem Griffin closed the public hearing.

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

## **9. Miscellaneous Business from the Commission/Staff**

### **A. Possible cancellation of the second meeting in November (November 19, 2008)**

Chairperson Pro Tem Griffin directed the meeting of November 19, 2008 not be cancelled.

### **B. Report on the Actions of the Board of Supervisors**

Planning Division Chief Wilson stated she had nothing to report.

### **C. Planning Commission/Board of Supervisors Discussion Topics**

Commissioner Sanbrook stated he would like to see a public facility zoning district created.

### **D. Other Business and Reports**

Planning Division Chief Wilson stated a formal election for a vice-chairperson would be agendaized for the meeting on November 19, 2008.

## **10. Adjournment**

There being no further business, Chairperson Pro Tem Griffin adjourned the meeting at 7:41 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary  
Sutter Country Planning Commission

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