

# SUTTER COUNTY PLANNING COMMISSION

## MINUTES

February 17, 2010  
Supervisors Chambers  
Hall of Records  
466 Second Street, Yuba City

### 1. Call to Order

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

### 2. Roll Call

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

Members Present: Commissioners Felicity Clark, J. R. Griffin, John Sanbrook, and Chairperson Basi

Members Excused: Commissioner Tom Engler

Members Absent: Commissioners Tejinder Dosanjh and Jose Flores

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 Director Douglas Gault, Public Works Assistant Director Al Sawyer, Public Works Associate Civil Engineer David Tomm, and Office Assistant Gail Gould

### 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 January 20, 2010 were approved as submitted on motion of Commissioner Sanbrook, seconded by Commissioner Clark and carried by a unanimous voice vote

### 5. Comments from the Public

None.

## Public Hearings

**6. Project #09-024 - A tentative parcel map to divide a 40.5-acre parcel into two 20.25 acre parcels; AG (General Agricultural) District; located on the northeast corner of Sanders and Broadway Roads; Assessor's Parcel No. 10-140-036; applicants/owners - Russel & Rita Schmidl**

Assistant Planner Yount presented the request for a tentative parcel map to divide a 40.5-acre parcel into two 20.25 acre parcels and stated staff recommended approval.

Chairperson Basi asked Assistant Planner Yount to explain the last sentence in the fourth paragraph on page 2 of the report, which says: "If the Planning Commission concurs, the proposed parcels conform to the AG-20 General Plan designation." Assistant Planner Yount replied staff cannot make the General Plan determination. That determination must be made by the Planning Commission.

Commissioner Sanbrook stated that based on soil type and historical agricultural record, this whole property should be AG-20 and asked if that would be recognized in the General Plan update. Planning Division Chief Wilson replied this area will probably be AG-20, but she didn't bring a map and cannot answer that clearly for sure tonight. Staff is trying to follow property boundaries, parcel lines, in the new General Plan rather than wandering through property to follow curvy soil lines.

Commissioner Sanbrook asked why General Plan Policy 6.A-8 is different from the General Plan than in the staff report. Assistant Planner Yount replied that the soil characteristics do not follow the AG-80/20 line. Assistant Planner Yount stated there are two soil types on the property, but both soil types are capable of supporting orchard crops. Planning Division Chief Wilson stated this map of the General Plan designation difference is a generalization of soils. It does not follow the specific soil lines in many cases. Staff uses three resources -- General Plan designation, soils map, and historic use.

Commissioner Sanbrook said page 24, paragraph c, of the Initial Study regarding directing water, is a condition, but he did not see it in the conditions. Planning Division Chief Wilson replied this is a parcel map and does not address the permitted construction of structures, so that condition was not included. However, it is automatically required that you cannot drain onto County right of way or adjacent properties, so that will happen as a matter of default.

Commissioner Griffin confirmed this would come into play if the applicants asked for a building permit.

Chairperson Basi opened the public hearing.

The applicants' representative, Bill Walker of von Geldern Engineering, stated they have seen all the conditions and are in agreement with all of them.

Chairperson Basi closed the public hearing.

Commissioner Griffin moved to approve the tentative parcel map subject to the recommended findings and conditions as stated in the staff report. Chairperson Basi seconded the motion which carried by a unanimous voice vote.

**7. Project #09-029 - A tentative parcel map to divide a 43.69-acre parcel into two 21.84-acre parcels; AG (General Agricultural) District; located on the southwest corner of Sanders and Marden Roads; Assessor's Parcel No. 10-200-003; applicants/owners - Kurt Schmidl & Paul Schmidl**

Senior Planner Mueller presented the request for a tentative parcel map to divide a 43.69-acre parcel into two 21.84 acre parcels and stated staff recommended approval.

Commissioner Sanbrook said the General Plan designation is AG-20, but the soil type is more conducive to AG-80 and row crops. He asked what the General Plan update would show for this. Senior Planner Mueller stated it will stay AG-20. This property actually has three soil types on it and only one of the soil types is considered prime farmland. The other two are considered Farmland of Statewide Importance. The General Plan designation is used to determine the minimum parcel size.

Regarding Condition 8, Commissioner Sanbrook asked why there was a difference in the requested road half-width between this project and the previous project since they are on the same road. Public Works Associate Civil Engineer David Tomm replied the existing road rights-of-way vary.

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

Commissioner Griffin moved to approve the tentative parcel map 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.

**8. Miscellaneous Business from the Commission/Staff**

**A. Possible cancellation of the first meeting in March (March 3, 2010)**

The meeting of March 3, 2010 was cancelled on motion of Commissioner Sanbrook, seconded by Commissioner Griffin and carried by a unanimous voice vote.

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

Planning Division Chief Wilson stated she had no actions to report.

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

#### **Discussion of Public Works conditions, specifically related to deferred improvement agreements.**

Planning Division Chief Wilson introduced Public Works Director Doug Gault, who was present to answer any questions the Commission may have regarding Public Works conditions, as requested at the last meeting.

Chairperson Basi stated before they started that discussion, he would like to know more on the FEMA flood zones and what the designations mean. Planning Division Chief Wilson replied that would be scheduled for the next meeting.

Commissioner Sanbrook asked what triggers the requirement to put in those improvements that were the subject of the deferred improvement agreement. Public works Director Gault replied in the time the County has done deferred improvement agreements, the County has not called one in. There are no written policies as to when they would be called in. The agreements are written such that it is the determination of the director of Public Works. His criteria is that once there is a sufficient amount of development along a particular right-of-way that would show a need and a usefulness and a benefit to having the frontage improvements constructed, then he would determine the financing plan for that project which would include any deferred improvements, etc.. He would anticipate a 70 percent buildout before that would be done in an area.

Public Works Director Gault stated the main reason for deferring improvements is because in most cases the improvements require a road to be widened and you don't really want to do that too far ahead of the time you are ready to do it for the whole segment of road. Otherwise, there are wide areas and people sometime try to use them for parking or truck parking or purposes which would provide no benefit to the County or the residents. In addition, the grade line for the drainage could be disrupted by widening the road prematurely because the drainage has to fall along the edge of the right-of-way and it wouldn't fall properly if some of those individual areas were being widened.

In response to a question from Commissioner Sanbrook, Public Works Director Gault stated there were no time constraints on deferred improvement agreements. He also detailed some of the securities and requirements contained in the agreements

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

None.

## **9. Adjournment**

There being no further business, Chairperson Basi adjourned the meeting at 7:32 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary  
Sutter County Planning Commission

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