

SUTTER COUNTY PLANNING COMMISSION

MINUTES

November 6, 2013
Supervisors Chambers
Hall of Records
466 Second Street, Yuba City

1. Call to Order

Chairperson Basi called the meeting to order at 6:01 p.m.

2. Roll Call

Chairperson Basi requested the clerk call the roll of the Commission. The attendance is shown below:

Members Present: Commissioners Mike Geraldo, Zac Repka, John Sanbrook and Chairperson Paul Basi

Members Excused: Commissioner Robert Norton

Members Absent: Commissioner Lal Chima, Angel Diaz

Staff Present: Principal Planner Doug Libby, Associate Planner Leanne Mueller, Deputy County Counsel Janet Bender, County Surveyor Jerry Orr, and Office Assistant Kathy Ferguson

3. Pledge of Allegiance

Principal Planner Libby led the audience, staff and Commission in the Pledge of Allegiance.

4. Approval of Minutes

The minutes of the meeting of October 16, 2013 were approved as submitted on motion of Commissioner Sanbrook, seconded by Commissioner Geraldo and carried by a voice vote of the Commission.

5. Comments from the Public

None.

Consent Calendar

6. **REMOVED FOR DISCUSSION:** A request for the Planning Commission to determine the proposed abandonment of Seymour Road between Armour Road and the east end at the Sutter Mutual Water Company Irrigation Canal is in conformance with the General Plan; applicant - Department of Public Works. (Recommend it is in conformance)

Consent Items No. 6

Associate Planner Mueller summarized the previously circulated staff report, stating that the road is unpaved, unimproved and terminates at a private canal. Associate Planner Mueller reminded the Commission that it is not the Commission's role to determine whether the road should be abandoned; but to determine if the abandonment is in conformance to the General Plan Policies and forward that recommendation onto the Board of Supervisors.

Commissioner Sanbrook reaffirmed it is up to the Board of Supervisors to make the final decision. Commissioner Sanbrook asked if the section of road is within the County maintained mileage system. Associate Planner Mueller stated no, that section is unimproved and unmaintained. County Surveyor Jerry Orr clarified that yes, this section of roadway is on the County's maintained mileage.

Commissioner Sanbrook asked if the County owns the fee or is it just an easement. County Surveyor Jerry Orr stated it was dedicated so long ago, we only have an easement.

Commissioner Sanbrook asked if the property owners own the land on the North and South side of the road. County Surveyor Jerry Orr stated yes they do.

Commissioner Sanbrook asked how they determine if the proposed abandonment is in conformance with the General Plan. Associate Planner Mueller stated you look at the General Plan Goals and Policies, and then ask if it goes away will it negatively impact the policies. Associate Planner Mueller stated this proposed abandonment does not and this portion of the road is not recognized in the Circulation Element on Table 6-3. Commissioner Sanbrook stated that this section is almost two (2) miles long.

Commissioner Geraldo stated he went to the site, stating it looks like they have the gates ready to go and stated it is not a safe access to the River for the public. Associate Planner Mueller stated the road ends at a private canal and then it goes onto the Sutter By-pass. Commissioner Geraldo voiced concerns of already losing three (3) access points to the River. Associate Planner Mueller stated there is no public access; the road terminates at a private canal and the roads on either side of this roadway are private property.

Chairperson Basi asked if there is safe access for the public, since it is private property. Principal Planner Libby stated that the land in the By-Pass is private property and if you go beyond where the public road terminates one is trespassing.

Commissioner Sanbrook asked if we are reserving utility easement, since it is privately owned. County Surveyor Orr replied yes.

Commissioner Geraldo stated the abandoned road is like five (5) miles to the By-Pass. Associate Planner Mueller stated the portion is less than 2 miles.

Commissioner Sanbrook stated Seymour Road touches Highway 113, and that we are just considering the section east of Armour Road. Commissioner Geraldo stated Armour Road is a long ways down the road.

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

Commissioner Sanbrook made a motion that finds the proposed abandonment is not inconsistent with the applicable policies of the General Plan, subject to the findings contained within the staff report. Commissioner Basi seconded the motion, which carried by a voice vote of the Commission (3-1).

7. Miscellaneous Business from the Commission/Staff

A. Possible cancellation of the first meeting in December (December 4, 2013)

The meeting of December 4, 2013 was cancelled on motion of Chairperson Basi, seconded by Commissioner Sanbrook and carried by a unanimous voice vote.

B. Report on the Actions of the Board of Supervisors

Principal Planner Libby stated the Dhama sign variance project went before the Board of Supervisors in late October and was approved as submitted.

Principal Planner Libby reminded the Commission that staff submitted a request for a joint study session with the Board of Supervisors on December 3, 2013 at 6:00 pm in the Health Departments Auditorium to discuss the Ag section of the Zoning Code update. Commissioner Repka asked if staff reports will be distributed. Principal Planner Libby stated yes.

C. Planning Commission/Board of Supervisors Discussion Topics

None.

D. Other Business and Reports

Chairperson Basi wanted to remind everyone that this Friday is the game between Yuba City High School and River Valley.

Principal Planner Libby stated that staff had intended on having a public hearing item tonight; however, it had to be removed from the agenda due to property line issues.

Commissioner Sanbrook asked when the first zoning ordinance was adopted. Principal Planner Libby stated in the early 1960's. Associate Planner Mueller believes it was in 1964.

8. Adjournment

There being no further business, Chairperson Basi adjourned the meeting at 6:25 p.m.

Respectfully Submitted,

Doug Libby, AICP
Principal Planner
Sutter County Planning Commission

P:\Planning\Planning Commission Minutes\2013 Minutes\11-06-13.doc