1. **Call to Order**

Vice-Chairperson Amarel called the meeting to order at 7:00 p.m.

2. **Roll Call**

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

Members Present: Commissioners, Paul Basi, Tejinder Dosanjh, J. R. Griffin, John Sanbrook, Jerry Stewart and Vice-Chairperson John Amarel

Members Excused: Chairperson John Shaffer

Staff Present: Planning Manager Lisa Wilson, Principal Planner Steve Geiger, Deputy County Counsel Janet Bender, Interim Director Randy Cagle, Environmental Health Specialist Jan Hill, Public Works Associate Civil Engineer David Tomm, and Office Assistant Gail Gould

3. **Pledge of Allegiance**

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

4. **Approval of Minutes**

None.

5. **Comments from the Public**

None.
Continued Public Hearing

6. **Project #11-003** - A use permit for a water sports school associated with an existing aquaculture pond; AG (General Agricultural District; located on the north side of Marcum Road and the west side of State Route 70, East Nicolaus; Assessor’s Parcel No. 33-130-148; applicant - Dan Spangler/owner - Robert Spangler Revocable Survivors Trust

Planning Manager Wilson stated the applicant has requested a continuance of his application to an indefinite date.

Commissioner Sanbrook asked what the problem was. Planning Manager Wilson replied the owner would like to fully understand all of the conditions. Commissioner Sanbrook then asked how long the applicant had the conditions. Planner Manager Wilson replied about two months.

Vice-Chairperson Amarel closed the public hearing.

Commissioner Basi moved to continue this item to an indefinite date. Commissioner Sanbrook seconded the motion which carried by a unanimous voice vote.

Responding to a question from Commissioner Sanbrook, Planning Manager Wilson confirmed the applicant will be responsible for the cost of noticing when the project is rescheduled for hearing.

Public Hearings

7. **Project #11-021** - Request for Zoning Code Amendment to eliminate Section 1500-8027, Performance Standards for Agricultural Manufacturing; AG (General Agricultural) District; located Countywide; applicant - Coe Orchard Equipment Inc./owner - Coe Family Trust

Planning Manager Wilson presented the request for a Zoning Code amendment to eliminate Section 1500-8027, Performance Standards for Agricultural Manufacturing, and stated staff recommended denial.

Commissioner Sanbrook asked what the philosophy was behind the adoption of these standards in the first place. Planning Manager Wilson replied that after the Coe's established an operation on Riviera Road, part of the orchard was taken out and a couple of Board members felt it was not appropriate to remove too much agricultural land from production. The intent is not to continually erode agricultural land out of production.

Commissioner Sanbrook asked Planning Manager Wilson if the property complies with the standards and Mr. Coe is grandfathered in? Planning Manager Wilson explained the existing operation is permitted, but the code now prohibits expansion, as it would exceed the size and employee limitations.
Commissioner Griffin asked if there was any way the Coe’s could request an expansion. Planning Manager Wilson said as the language stands now, we cannot make the findings needed to comply.

Commissioner Griffin said his concern is that it is a successful business with 25 employees and we would be restricting him from expanding. Planning Manager Wilson said that is correct.

Commissioner Griffin stated he would have to sell this property and move in order to expand.

Commissioner Sanbrook stated we are restricting him from his business.

Vice-Chairperson Amarel opened the public hearing.

The applicant’s representative, Jeff Spence of Laughlin and Spence, stated that in 2000 the applicant developed a plan for Coe Equipment. Assuming this Zoning Code amendment is approved, they would still have to come back before the Commission with a use permit amendment. What is confusing is the code talks about building area, not land area. Mr. Spence said he does not see where they are taking any more land out of land production. What is now outside storage will become indoor storage. In the new General Plan update, there is a policy allowing for urban and rural uses to expand. In this case, they are not taking any more land out of production, but are utilizing the existing developed area to expand.

Commissioner Basi asked if there would be any additional manufacturing in this building or is it just for storage. Mr. Spence replied there will be some manufacturing going on and some storage. The business has grown and they need the additional space.

Commissioner Griffin confirmed the land they are proposing to use is not in agricultural production.

Commissioner Dosanjh verified they will be using this land to park their equipment and to do some manufacturing.

Commissioner Basi asked if they wanted to build another building for a total of about 40,000 square feet. Mr. Spence replied yes, it would double their capacity.

Commissioner Griffin asked what the impact on employees would be.

The applicant, Lois Coe, stated that right now their business is booming. They now do a lot of overseas sales including to Argentina and Chile.

Commissioner Sanbrook asked how many employees they had. Mrs. Coe said they had around 70 to 76.

Mrs. Coe discussed the small area of their business.
Vice-Chairperson Amarel asked how many employees they envisioned having in total. Mrs. Coe replied around 40 to 45.

Commissioner Sanbrook confirmed with Mrs. Coe the number of employees would increase when the new building was completed. Commissioner Dosanjh asked if most of the employees would be general or seasonal. Mrs. Coe stated they would all be full time. Payroll is now around $2,000,000, so it will go up some. All the employees are local.

Commissioner Griffin said if the Planning Commission goes along with the applicant’s request, we will have to refer it back to staff to come back with conditions for a new use permit, and the Coe’s will probably not be able to expand again. This would be only a recommendation to the Board of Supervisors.

Commissioner Sanbrook said it seemed to him they would want to encourage business and this is not. Here is a company that bought up acres with the ultimate goal of expanding in the future. To some extent we lead them down the primrose path.

Vice-Chairperson Amarel closed the public hearing.

Commissioner Griffin stated he agreed with Commissioner Sanbrook but asked how we get there from here.

Commissioner Basi said they faced a similar issue in Gridley and now they are in Live Oak and they are a booming business. This is a viable business and he hoped they stay here.

Commissioner Griffin asked how they would handle this. Planning Manager Wilson replied the Commission has the option of making a recommendation to repeal, keep or amend the Zoning Code section.

Vice-Chairperson Amarel asked if there was a way they could have the exact language. Planning Manager Wilson replied that is provided on Page 2 of the staff report.

Commissioner Sanbrook stated they should be asking the Board of Supervisors to take a look at this to allow existing businesses to expand. Planning Manager Wilson stated that would be an amendment to the current language, as written in 2002.

Commissioner Sanbrook moved to recommend that the Board of Supervisors modify this language to recognize existing businesses on agricultural land and allow them to expand their permissible operations, exempt from the restrictions of 1500-8027. Commissioner Griffin seconded the motion, which carried by a unanimous roll call vote.

8. Project #11-023 - Zoning Code text amendments for a new Employment Corridor zone district, for revisions to the existing Residential Estate zone district, and for other related revisions due to adoption of the new General Plan; located Countywide; Initiated by the Board of Supervisors

Principal Planner Geiger stated he would present the new Employment Corridor first and have discussion and then the Residential Estates District.
Principal Planner Geiger summarized the proposed Employment Corridor zone district, including proposed uses, development standards, and design criteria. He then noted an additional change proposed to Section 1500-8015(a), in that Public Works felt that 60 days was too short a time for public improvements to be constructed and that it should be changed to 180 days.

Commissioner Sanbrook stated he recognizes what we are trying to do with the employment corridor, but are we over regulating? Are we encouraging people or dissuading them with all these regulations? Principal Planner Geiger said that most of the criteria are existing requirements in different Zoning Code sections or the Design Guidelines. Some are existing that have been modified and there are some that are new.

Commissioner Sanbrook said on page 2 of the staff report, why exclude hotels, etc. Principal Planner Geiger responded the main reason was their high water usage because there will not be any City water or sewage disposal service out there.

Principal Planner Geiger then presented the revisions to Residential Estates.

Commissioner Sanbrook asked if the Ranchette designation had been eliminated. Principal Planner Geiger replied there will be no more Ranchettes permitted, but the existing ones will be allowed to remain.

Vice-Chairperson Amarel opened the public hearing.

Raminder Bihala, 1155 Shaylene Court, asked if there was a requirement for paving in the Employment Corridor. Principal Planner Geiger replied there was, and that it is the same requirement that we have now in areas such as the cities’ spheres of influence and the rural communities. The paving requirement would apply to customer and employee parking.

Mr. Bihala asked if there was a difference now in the new paving regulations and code. Principal Planner Geiger replied the existing Zoning Code paving requirement is specified for certain areas, and we are now applying it to the new Employment Corridor area.

Mr. Bihala stated the restrictions should remain the same. He said the County’s current requirement for paving in a current industrial area is less than what is proposed.

Planning Manager Wilson said these are not new pavement standards; they already exist for industrial and commercial areas. She noted that this requirement does provide exception for a business with separate storage and parking areas to be gravel surfaced. The public access areas would still need to be paved.

Vice-Chairperson Amarel closed the public hearing.

Commissioner Sanbrook stated Principal Planner Geiger has done a good job. This is well thought out.

Commissioner Griffin moved to recommend approval 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 roll call vote.
9. Miscellaneous Business from the Commission/Staff

A. Possible cancellation of the first meeting in October (October 5, 2011)

On motion of Commissioner Basi and seconded by Commissioner Sanbrook, the meeting of October 5, 2011 was cancelled.

B. Report on the Actions of the Board of Supervisors

Planning Manager Wilson stated the Board approved the ordinance modifications for the lot line adjustment procedures.

C. Planning Commission/Board of Supervisors Discussion Topics

None.

D. Other Business and Reports

Planning Manager Wilson stated as he is moving, there will be a resignation from John Shaffer. There will need to be an election of Chairperson and possibly Vice-Chairperson, so that will be on the next agenda.

10. Adjournment

There being no further business, Vice-Chairperson Amarel adjourned the meeting at 8:12 p.m.

Respectfully Submitted,

Lisa Wilson, Secretary
Sutter County Planning Commission