County of Yuba

Community Development & Services Agency

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MINUTES OF THE YUBA COUNTY
PLANNING COMMISSION MEETING
Wednesday, December 17, 2008
6:00 p.m. Supervisor's Chambers
915 8th Street
Marysville, California

CALL TO ORDER:

The meeting was called to order at 6:00 p.m. by Commissioner Zimmerman with Commissioners Durham and Cozine present. Commissioners Flanagan and Messick were absent.

APPROVAL OF MINUTES:

With a motion by Commissioner Durham and seconded by Commissioner Cozine, the minutes from the November 5, 2008 meeting were unanimously approved.

ACTION ITEMS AND PUBLIC HEARING:

1) **DEVELOPMENT AGREEMENT DA2008-001A AND DEVELOPMENT AGREEMENT DA2008-001B:** A request for two separate Development Agreements by Axel Karlshoej and Rio Del Oro Farms #2 for the purpose of extending entitlements for up to ten years in exchange for participation in the levee funding program. DA2008-001A covers the development known as Danna 70 and DA2008-001B covers the development known as Rio Del Oro Village 16.

   Staff Report: Kevin Mallen, Community Development Director, presented the staff report. Staff recommends the Planning Commission adopt the resolution recommending to the Board of Supervisors to approve DA2008-001A and DA2008-001B.

   Public Hearing: Ron Erny, applicant, was there to answer any questions the Planning Commissioners had.

   There being no other comments public hearing was closed.

   Action: A motion was made by Commissioner Cozine and seconded by Commissioner Zimmerman to adopt the resolution recommending to the Board of Supervisors approval of DA2008-001A and DA2008-001B. The motion passed by a vote of 3 – 0 with Commissioners Flanagan and Messick absent.

2) **CHANGE OF ZONE 2008-0001 (RATLIFF); TENTATIVE PARCEL MAP TPM2008-0011; CONDITIONAL USE PERMIT CUP2008-0012; AND VARIANCE VAR2008-0005:** is a project that would allow the creation of three parcels (two 40 acre parcels and one 13 acre parcel) and for the relocation of an existing burl processing plant (Hardwoods Unlimited) out of the floodplain from its current Jack Slough Road location. The applicant is requesting to change the existing zoning designation from the "AE-80" Exclusive Agricultural zone (80 acre minimum parcel size) and subdivide the existing parcel into three new parcels with a changed zoning designation of "AE-40" Exclusive Agricultural (40 acre minimum parcel size) for two parcels and "AE-10" Exclusive Agricultural (10 acre minimum parcel size) for one parcel on a parcel consisting of 93.26 acres located on the north side of Woodruff Lane (APN: 006-060-033) 0.4 miles east of the Woodruff and Matthews Lane intersection. The entire property is currently engaged in agricultural production.

Staff Report: Kevin Perkins, Associate Planner, presented the staff report. Staff recommends adoption of the resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan, approving Conditional Use Permit CUP2008-0012 and Variance VAR2008-0005 and recommending approval of the revised Change of Zone CZ2008-0001 and Tentative Parcel Map TPM2008-0011 subject to the conditions of approval.

Wendy Hartman, Planning Director, gave the Planning Commission direction on what actions can be taken.

Commissioners asked questions regarding the project and the changes staff made.

Public Hearing: Sean Minard, MHM Engineering, addressed the Commission with an explanation of the project.

Commissioners asked Mr. Minard questions pertaining to the project.

James Ratliff, Applicant, addressed the Commission further explaining the project.

There being no other comments public hearing was closed.

Commissioners discussed the three parcel split as opposed to the two parcel split.

Wendy Hartman explained that the Commission was required to make substantial findings on how the project meets the intent of General Plan Policy 36-LUP in order to recommend approval of the applicants request.

Action: A motion was made by Commissioner Cozine and seconded by Commissioner Durham to adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan. The Planning Commission voted 3 – 0 to adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan.

A motion was made by Commissioner Cozine and seconded by Commissioner Zimmerman to approve the Conditional Use Permit CUP2008-0012 and Variance

VAR2008-0005 as proposed and conditioned. The Planning Commission voted 3 – 0 to approve CUP2008-0012 and VAR2008-0005 subject to conditions of approval.

The Planning Commission was in support of the Change of Zone and Tentative Parcel Map with three lots as proposed by the applicant but was unable to make the findings for the approval. A motion was made by Commissioner Durham and seconded by Commissioner Cozine to recommend approval of the revised Change of Zone CZ2008-0001 and Tentative Parcel Map TPM2008-0011, as recommended by staff, to the Board of Supervisors. The Planning Commission voted 3 – 0 to recommend approval of the revised CZ2008-0001 and TPM2008-0011. A new resolution will be prepared for the Ratliff project for the next Planning Commission meeting.

OTHER BUSINESS: Wendy Hartman discussed the Planning Commission terms of office and how to apply.

CORRESPONDENCE: None

PLANNING DIRECTOR COMMENTS: None

PLANNING COMMISSIONER COMMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned to the next meeting.

Wendy W. Hartman,
Planning Director