



COUNTY OF COLUSA

Community Development Department
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Commissioners

Steve Vanderpan – Chair, District 1
Barry Morrell, District 2 Don Parsons^{ss}, District 3
Marion Mathis, District 4 Gail Beduhn – Vice-chair, District 5

PLANNING COMMISSION

MINUTES

Wednesday, November 1, 2017

9:00 a.m.

Board Chambers

546 Jay Street, Suite 108

Colusa, CA 95932

The Colusa County Planning Commission meets in Regular Session this 1st day of November 2017 at the hour of 9:00 a.m. Present: Barry Morrell, Don Parsons^s, and Steve Vanderpan. ABSENT: Marion Mathis, and Gail Beduhn.

Present: Marcos Kropf, County Counsel.
Greg Plucker, Kent Johanns, Tana Loudon, Community Development Department.
Wendy Tyler, CAO/Risk Manager.
Hannes Mace, Assessor's Office.
Danny Lawson, Duane Benamati, Stonyford citizen.
Ann Nordyke, Patricia Rodriguez, Board Clerk.

Pledge of Allegiance.

I. APPROVAL OF MINUTES

1. Minutes Approval

Planning Commission – Regular Meetings – September 6, 2017.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barry Morrell, Planning Commissioner
SECONDER:	Don Parsons, Planning Commissioner
AYES:	Don Parsons, Barry Morrell, Steve Vanderpan
ABSENT:	Marion Mathis and Gail Beduhn

II. PUBLIC COMMENT

None.

III. PUBLIC HEARINGS

Chairman Vanderpan makes time for a Public Hearing to Adopt a Resolution adopting a Mitigated Negative Declaration, Approving A Mitigation Monitoring And Reporting Program For Environmental Document #17-8, And Approving Tentative Parcel

Map #17-2-1, For A Parcel Subdivision Project by applicant Daniel Lawson. **(Continued from September 6, 2017)**

Mr. Johanns states the application is for three parcels of 40-acres in size and a remainder of 248-acres ~~368-acre~~ parcel ~~to be split into 40-acre parcels~~ and speaks to the following:

- Project Description
- Analysis
- Issues and Concerns
- Recommendation

Mr. Johanns states he did communicate with the battalion Chief of Cal Fire and he states the Chief would like the fire safe guidelines to be followed.

9:05 a.m. Commissioner Beduhn is now present and seated.

9:07a.m. Chairman Vanderpan opens the Public Hearing and calls for Public Comment.

Mr. Lawson ~~speaks to presents a petition of Mr. Benamati's~~ petition and states that most of the people who signed are not impacted by the decision that will be made today. He further states that the person who was growing marijuana on his property had a permit to grow. Mr. Lawson states he has a letter from Ms. Moore stating she would never allow anyone else access to the road and she has tried to stop the access for twelve years. He continues to state that recently upon his return from a trip he was driving down the easement and Ms. Moore's son had dug two ditches and had disguised them where someone could get hurt. He further states he has the right to use this road and has the obligation to the upkeep. He states if they would like to take back the easement then he should be entitled to get his water rights back, of which the Moore's use for their farmlands. **(Signed Petition on file in Clerk's Office)**

Chairman Vanderpan states that everything Mr. Lawson had mentioned is not something this Commission can do anything about and actually should go to the sheriff. He further states the access to the road is a legal document and Mr. Lawson has legal access.

Mr. Lawson states that they are trying to stop him from selling the parcels, and dust is being created by the farming that is being done on the Moore's land.

Mr. Benamati states they don't want the road going through the property and there was a lot of dust when they were leveling the ground. He states they don't want more people having road access. He further states that the burden is on the residents and the road is not well maintained. He states that the people who live out there want their peace and quiet and if Mr. Lawson starts selling parcels of land the tranquility will be lost, noting, the road maintenance has to be addressed.

Mr. Johanns states the conditions for road improvements through Cal Fire will help to mitigate the dust. **(Letter from Stonycreek Water Master George Pendell on file in Clerk's Office)**

9:20 a.m. Chairman Vanderpan closes the public hearing.

Commissioner Beduhn states that this is going to be a hard decision to make.

Chairman Vanderpan states the item has been continued several times to give the neighbors time to work out their problems, and it hasn't happened. He further states we need to look at the general plan that was put together and the legalities. He states the road is there legally and Mr. Lawson has the right to split his property. Brief discussion held.

Commissioner [Parson-Parsons](#) questions County Counsel if it has ever been legal to grow marijuana in Colusa County.

Mr. Kropf states that it has never been legal [to grow marijuana](#) and we do not issue permits. He further states it has never been sanctioned by the County.

1. PLANNING COMMISSION

Adopt Resolution No. **17-4**, a Resolution adopting a Mitigated Negative Declaration, Approving A Mitigation Monitoring And Reporting Program For Environmental Document #17-8, And Approving Tentative Parcel Map #17-2-1, For A Parcel Subdivision Project by applicant Daniel Lawson, and authorize the Chair to sign.
(Continued from September 6, 2017)

MOVER:	Don Parsons, Planning Commissioner
SECONDER:	Barry Morrell, Planning Commissioner
AYES:	Don Parsons, Barry Morrell, Steve Vanderpan
ABSENT:	Marion Mathis
NAYS:	Gail Beduhn

Chairman Vanderpan makes time for a Public Hearing to Adopt a Resolution adopting a Mitigated Negative Declaration, Approving A Mitigation Monitoring And Reporting Program For Environmental Document #17-19, And Approving Tentative Parcel Map #17-6-1, For A Parcel Subdivision Project by Morning Star Company.

Mr. Johanns states the application submitted is for a 488 parcel to be split into six agriculture parcels and speaks to the following:

- Project Description
- Analysis
- Recommendation
- Issues and Concerns

9:29 a.m. Chairman Vanderpan opens the Public Hearing and calls for Public Comment. Hearing none, Chairman Vanderpan closes the Public Hearing.

2. PLANNING COMMISSION

Adopt Resolution No. **17-5**, a Resolution adopting a Mitigated Negative Declaration, Approving A Mitigation Monitoring And Reporting Program For Environmental Document #17-19, And Approving Tentative Parcel Map #17-6-1, For A Parcel Subdivision Project by Morning Star Company, and Authorize the Chair to Sign.

MOVER:	Barry Morrell, Planning Commissioner
SECONDER:	Gail Beduhn, Planning Commissioner
AYES:	Don Parsons, Barry Morrell, Gail Beduhn, Steve Vanderpan
ABSENT:	Marion Mathis

IV. PLANNING DIRECTOR COMMENTS/REPORTS

None.

V. PLANNING COMMISSIONER'S COMMENTS/REPORTS

None.

Chairman Vanderpan adjourned the meeting at 9:31 a.m. to reconvene in Regular Session on December 6, 2017 at the hour of 9:00 a.m.

Respectfully submitted,
Greg Plucker, Director,
Planning & Building Administration

Steve Vanderpan, Chairman

By: _____
Patricia Rodriguez, Deputy Clerk