



Commissioner Malcolm Weston, Chair
Chair Commissioner Christine Alcocer
Commissioner Tyler Eccles
Albers Commissioner Ranjit Davit

Commissioner Aaron Eller, Vice
Commissioner Jeramy Chapdelaine
Commissioner Donald

September 19, 2017 7:00 PM

A. CALL TO ORDER

B. ROLL CALL

Commissioners Albers, Alcocer, Chapdelaine, Eccles, Eller, Davit, and Weston

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS*

To address the Commission please step to the rostrum and state your name and address

E. APPROVAL OF MINUTES

1. Approval of Minutes from the July 11, 2017 special meeting.

F. PUBLIC HEARING

1. **Tentative Parcel Map No. 17-4;** Recommendation for approval of a proposal to divide a 0.6 acre parcel into two parcels (Parcel 1 is 0.31 acre and Parcel 2 is 0.3 acre). The project is located at 2016 Pennington Road Live Oak, CA. Assessor's Parcel No. 06-433-018. The project is Exempt from CEQA; Minor Land Division.
2. **Zoning Ordinance Amendment- Revised Fence Heights;** Recommend approval to the City Council of an ordinance which will allow for an increases in the maximum allowed fence height to seven feet along publicly maintained open spaces and trails. Environmental Determination: Exempt.
3. **Zoning Ordinance Amendment- Marijuana Cultivation;** Recommend approval to the City Council of an ordinance allowing the cultivation of up to six marijuana plants per residence in approved structures as allowed by Proposition 64, the Adult Use of Marijuana Act. Environmental Determination: Exempt Zoning Ordinance Amendment. **This agenda item has been postponed to a future date**

G. ADJOURNMENT

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$733, must be filed with the City Clerk, 9955 Live Oak Blvd., Live Oak, CA 95953, within 10 days of such action. If no appeal is filed within this time limit, the Commission action becomes final. The exception to this is rezonings – please check with the Planning Department, 9955 Live Oak Blvd., Live Oak, CA 95953, for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530) 695-2112 at least 72 hours in advance so such aids or services can be arranged.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.

The minutes from the July 11, 2017
Planning Commission Meeting will be
disturbed by Tuesday September 19, 2017



DATE: September 19, 2017
 TO: City of Live Oak Planning Commission
 FROM: Erin Ventura, Contract City Planner

Application: Parcel Map No. 17-04;
 Applicant/Owner: Jose Orozco
 Location/APN: 2016 Pennington Road APN 06-433-018
 Environmental: Exempt; Minor Land Division
 General Plan: Low Density Residential
 Zoning: Low Density Residential (R-1)
 Site Information: Vacant Lot

RECOMMENDED ACTION:

Recommend approval to the City Council of Parcel Map No. 17-04 that will subdivide one parcel into two parcels as provided in the attached parcel map, subject to the required Findings and project Conditions of Approval.

EXECUTIVE SUMMARY:

The applicant is requesting a Parcel Map, dividing one 0.6 acre parcel into two parcels. The proposed Parcel One will be 0.31 acres and the proposed Parcel Two will be 0.30 acres.

SETTING:

The project site is currently a vacant lot. The surrounding area is developed with single family homes and orchard land. The table below lists the land use, zoning designation, and General Plan designation of the area surrounding the project site.

	Land Use	Zoning Designation	General Plan Designation
North	Orchard/Single family home	R-1	Low Density Residential
South	Single family home	R-1	Low Density Residential
East	Single family home	R-1	Low Density Residential
West	Single family home	R-1	Low Density Residential

BACKGROUND:

The project site is located on Pennington Road at J Street. The property owner is proposing to split the property into two new lots. The area to the north of the property is outside of the City Limits.

Once reviewed by Planning Commission, and recommended for approval, the application will be reviewed by the City Council for final approval.

GENERAL PLAN AND ZONING ORDINANCE

The proposed parcel map is consistent with the General Plan of Low Density Residential and the Zoning Ordinance development standards of R-1 zoning district.

AGENCY & PUBLIC REVIEW:

City Department Review

This request was sent to all applicable City departments. Staff received comments from the City Engineer. The comments were either addressed prior to the meeting or addressed through conditions of approval.

As stated above the proposed parcel map is consistent with the General Plan and City of Live Oak Zoning Ordinance.

Public Notice

This project was advertised in The Appeal Democrat newspaper and mailed to all property owners within 300 feet of the site. To date, no comments have been submitted either against or in support of this project. Any additional written comments received will be handed out at the Planning Commission hearing.

ENVIRONMENTAL REVIEW:

The proposed parcel map is Exempt from CEQA; Minor Land Division

Attachments:

1. Findings of Fact
2. Proposed Conditions of Approval
3. Proposed Parcel Map

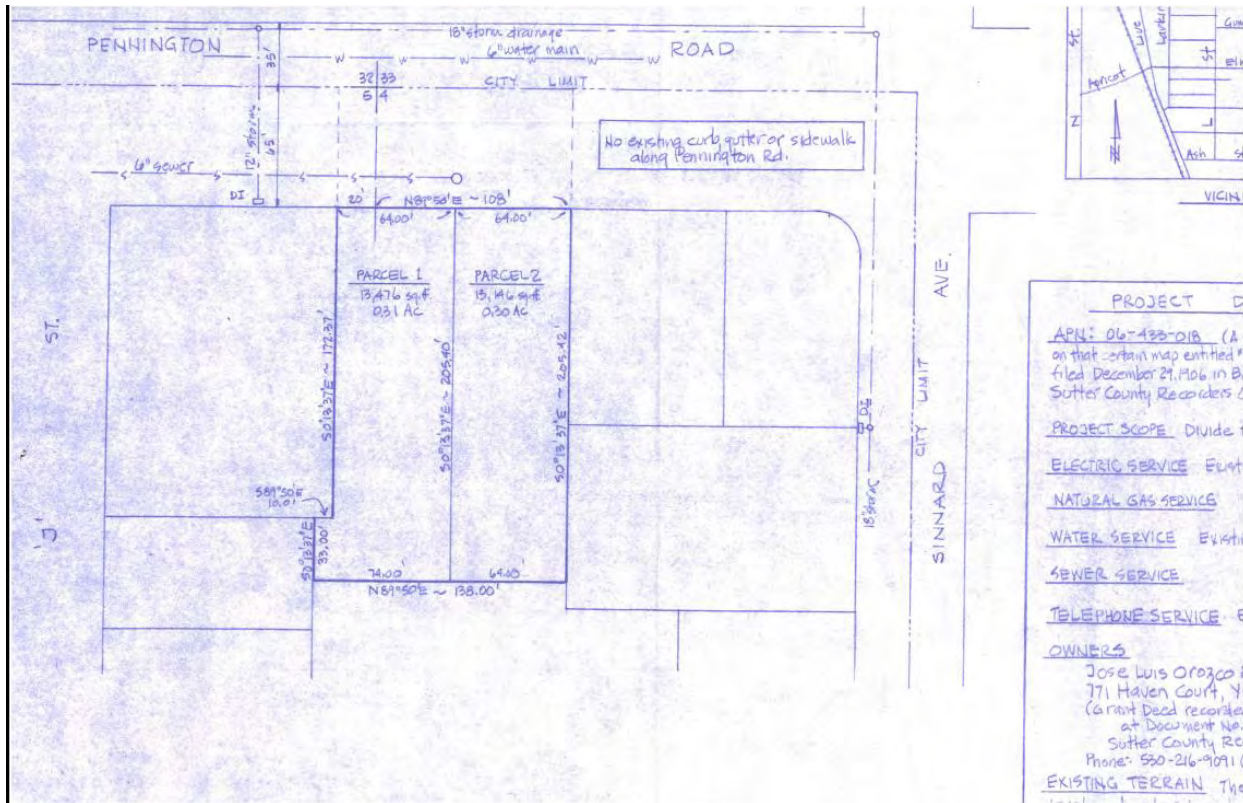
FINDINGS FOR APPROVAL

1. After review and consideration find that the proposed Parcel Map is Exempt from CEQA; Minor Land Division
2. That the proposed parcel map is consistent with the City General Plan of Low Density Residential
3. That the proposed parcel map, as conditioned, is consistent with the Subdivision Map Act and the Municipal Code.
4. The proposed parcel map does not conflict with the general health, safety and welfare of the community.

ATTACHMENT 2

**RECOMMENDED CONDITIONS OF APPROVAL
TPM- No. 17-4
Orozco
2016 Pennington Road APN 06-433-018**

1. Preparation of the parcel map shall comply with the requirements of the Subdivision Map Act and Title 16 of the Live Oak Municipal Code (LOMC).
2. The parcel map shall be prepared by a licensed surveyor or a registered civil engineer who is authorized to perform land surveying in accordance with LOMC Chapter 16.28.
3. A current title report and a tax certificate are to be submitted with the parcel map.
4. The parcel map must adequately delineate the public easements which will remain in effect after the parcel map.
5. Survey monuments conforming to the requirements of the Live Oak Municipal Code, the California Land Surveyors Act and the California Subdivision Map Act shall be provided.
6. All easements of record which affect the parcel map properties shall be shown on the Final Parcel Map.
7. The Final Parcel Map shall offer of dedication for the Pennington Road right-of-way.





DATE: September 19, 2017
TO: City of Live Oak Planning Commission
FROM: Erin Ventura, Contract City Planner

Project: Amendment of the Live Oak Municipal Code Section Title 17,
Chapter 24.020, Section 17.24.020A Fence Heights

RECOMMENDED ACTION:

Staff recommends that the Planning Commission make a recommendation to City Council to adopt an Ordinance (Attachment A) amending section 17.24.020A of the Live Oak Municipal Code.

PROJECT LOCATION:

The ordinance will effect properties along City maintained open spaces and trails.

BACKGROUND:

In April 2017 the City Council held a discussion regarding fence heights and regulations. Staff brought the issue to the City Council due to comments and complaints received regarding a lack of privacy and security issues that some residents were experiencing with their properties along the City's recreation trail. At that meeting the City Council referred the discussion back to the Planning Commission for further discussion, consideration and review.

At the June 20, 2017 Planning Commission meeting the Commission discussed allowing an increase in fence height for properties abutting publicly maintained open spaces and trails.

ANALYSIS:

The draft Ordinance proposes allowing properties that abut publicly maintained open spaces and trails (Attachment B) to have side or rear yard fences that can be a maximum of seven feet in height. The maximum allowed height for fences in other parts of the City is proposed to remain at six feet in height.

Attachment B shows there areas within the City where properties abut publicly maintained open spaces and trails. The publicly maintained open spaces and trails are shown in green on the attached maps.

If the height of a fence is extended to seven feet, the material used must be similar to the existing fence.

If the Planning Commission does not see a need for additional changes to the Ordinance the next step is to recommend review and approval to the City Council.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, CALIFORNIA, AMENDING SECTION 17.24.020A OF THE LIVE OAK MUNICIPAL CODE.

SECTION 1:

Title 17, Chapter 24.020, Section 17.24.020A is hereby amended to read as follows:

17.24.020 Standards for Residential Zone Districts

- A. Height:** The maximum height of a fence or wall is three feet within any front yard or street-side yard, and six feet in any interior side yard and rear yard. Properties with side or rear yards abutting City maintained public opens spaces and trails may increase fence height to seven feet, as long as the materials used are consistent with the other fencing material.

SECTION 2: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3: Effective Date. This ordinance, following its adoption, shall be published as provided by law and by its terms herein, shall be effective 30 days after its adoption and shall thereafter remain in full force and effect unless otherwise changed by appropriate amending ordinance.

SECTION 4: Publication. The City Clerk is directed to cause this ordinance to be published in the manner required by law.

Introduced and the first reading waived at a regular meeting of the City Council of the City of Live Oak on the ____ of _____, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Jason Banks, Mayor

ATTEST:

Hope Ithurnburn, City Clerk

APPROVED AS TO FORM:

Brant J. Bordsen, City Attorney

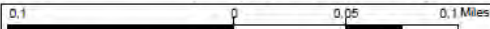
Rec Trail 1

Legend

- Roads 1k - 10k
- Levees 1k - 30k
- Railroads
- Parcels 0k - 5k



1:3,269



NAD_1983_StatePlane_California_II_FIPS_0402_Feet
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Rec Trail 2

Legend

- Roads 1k - 10k
- Leaves 1k - 30k
- Railroads
- Parcels 0k - 5k



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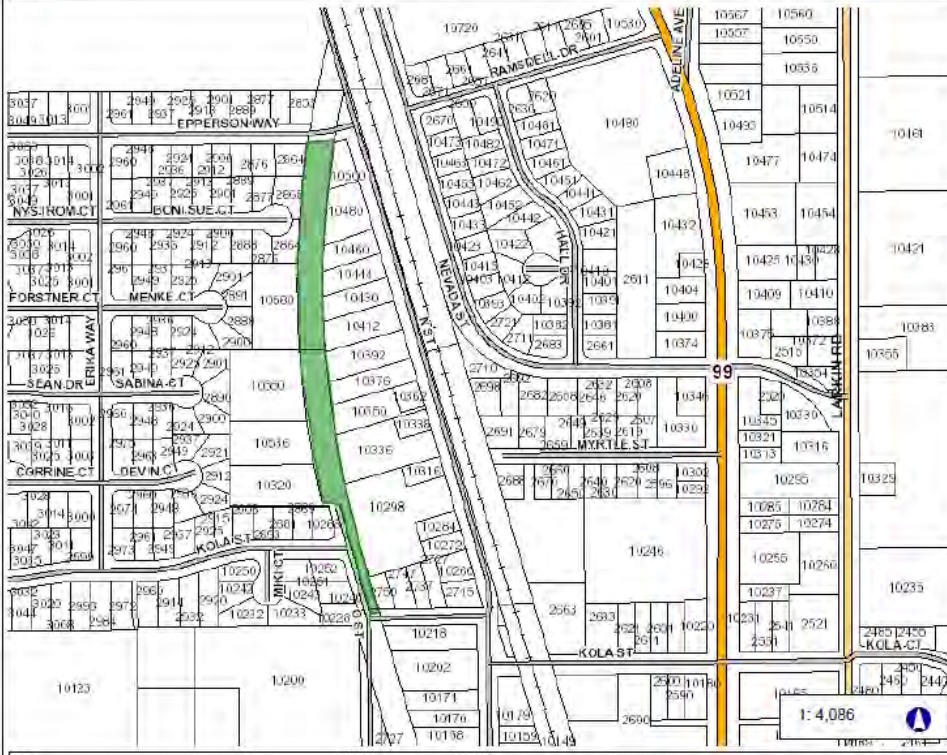
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Rec Trail 3

Legend

- Roads 1k - 10k
- Levees 1k - 30k
- Railroads
- Parcels Dk - 5k



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Soccer Park

Legend

- Roads 1k - 10k
 - 1
 - 2
 - 3
 - 4
 - 5
- Levees 1k - 30k
- Railroads
- Parcels 0k - 5k



0.1 0 0.05 0.1 Miles
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Skate Park/Little League

Legend

- Roads 1k - 10k
- Levees 1k - 30k
- Railroads
- Parcels 0k - 5k



0.1 0 0.05 0.1 Miles

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Date Street Park



Legend

- Roads 1k - 10k
- Levees 1k - 30k
- Railroads
- Parcels 0k - 5k

1: 1,021

0.0 0 0.02 0.0 Miles
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**Zoning Ordinance Amendment-
Marijuana Cultivation**

**This item has been proposed to a later
date.**