MINUTES

October 30, 2019, 3:00 PM

at

The Community Development Department
220 12th Street, Colusa, California.

The Colusa County Zoning Administrator held a public hearing with the following persons present:
- Greg Plucker, Zoning Administrator
- Kent Johanss, Associate Planner
- Mark Ottenwalter, Neighbor
- Sandy Ottenwalter, Neighbor
- Crystal Fleming, Neighbor
- Fernando Ruelas, Applicant
- Fausto Reulas, Applicant

Zoning Administrator Plucker called the meeting to order at approximately 3:03 pm.

I. PUBLIC COMMENT

No public comments were given.

II. PUBLIC HEARINGS

A. Minor Use Permit #19-8-2, ED #19-21, Fausto Ruelas – Proposed Categorical Exemption and Minor Use Permit to operate a private horse stable for up to ten (10) horses on property totaling approximately 3-acres. The property is zoned Rural Residential, 5-acre minimum lot size (RR-5), and is located approximately 0.5-miles west of the intersection of Grover Avenue and Lurline Road and approximately 800-feet south of Lurline Road with access from a private road; identified as APNs 015-330-136, 015-330-137, 015-330-138.

Zoning Administrator Plucker opened the public hearing. Zoning Administrator Plucker summarized the public hearing process and introduced the project. Zoning Administrator Plucker confirmed that all those in attendance had an opportunity to review the staff report.

Zoning Administrator Plucker asked if either applicant had any questions or concerns with the proposed conditions.
Fernando Ruelas inquired about the 20 person limit on the project and why it was being imposed.

Zoning Administrator Plucker responded and provided an overview of the use permit process and the need to evaluate the potential impacts to the neighborhood as a result of the proposed conditional use. Zoning Administrator Plucker stated that it was staff’s understanding based on the applicants’ statements that only 5 to 6 individuals were present at any one time so the limit on 20 was developed to provide some flexibility but at the same time allow the conditional use to be evaluated with respects to potential impacts on the neighborhood.

Fernando Ruelas stated that he did not believe that it was fair why this was being imposed on them and why wasn’t it being imposed on the other neighbors.

Zoning Administrator Plucker stated that other neighbors that had applied for conditional uses did have limits placed on them and then asked why was the limit a concern because it was three times what staff had been told was there maximum occupancy. Zoning Administrator Plucker also asked if there was another number that he would prefer.

A discussion ensued between Zoning Administrator Plucker and applicants as to the rational and need for the number. Zoning Administrator Plucker stopped the discussion and stated that he understood that the applicants were not in favor of the 20 person limit. Zoning Administrator Plucker asked if they had any other input or had any issues with other proposed conditions. Fernando Ruelas asked staff to read the conditions. Zoning Administrator Plucker stated that the staff report and conditions were previously sent and whether Mr. Ruelas had read them. Fernando Ruelas confirmed that to be the case but then asked again for staff to read the conditions. Zoning Administrator Plucker asked Associate Planner Johanns to read the proposed conditions. At the conclusion the applicants stated the other conditions were acceptable.

Zoning Administrator Plucker then asked if any other members of the public in attendance had any comments or questions. The other public members stated no and that there were just to observe. Fernando Ruelas stated that they were here and they might as well make a statement. Zoning Administrator Plucker informed Fernando Ruelas that any questions or comments should be direct to Zoning Administrator Plucker and not the others in attendance. A discussion ensued between Zoning Administrator Plucker and the applicants about the process and that the public in attendance did not have say anything as this was a public meeting.

Zoning Administrator Plucker stopped the discussion and asked if either applicant had anything else to add stating that he was aware of their opposition to the 20 person limit. They stated no.

Zoning Administrator Plucker then stated that there had been other comments regarding a concern with the perimeter fencing and that horses escaping the property. Zoning Administrator Plucker read a proposed condition to address the issue and asked if the applicants had any concerns with that condition to which they stated no.
Zoning Administrator Plucker then stated that he would not approve the use permit without a limit. He stated that he felt that the limit was more than fair as it was considerably more than what the applicants had stated was the maximum number of persons at the site at any one time. Zoning Administrator Plucker informed the applicants that if the limit was not working for them that there was a process to modify that condition and then explained the process. Zoning Administrator Plucker also told the applicants that they had options: (1) he could approve it with the 20 limit and they could appeal it to the Planning Commission; or (2) that he was willing to refer the matter directly to the Planning Commission and then the Planning Commission would decide.

The applicants told Zoning Administrator Plucker to just approve it with the 20 person limit.

Zoning Administrator Plucker closed the public hearing and then approved the use permit application as proposed by staff with the addition of the perimeter fencing condition and stated that the approval was appealable to the Planning Commission be filing a complete appeal application within the next ten days.

III. ADJOURN

The meeting was adjourned at approximately 3:45 pm.

[Signature]
Greg Plucker, Zoning Administrator