

**MARCH 29, 2016
REGULAR WHEATLAND PLANNING
COMMISSION MEETING
WHEATLAND COMMUNITY CENTER,
101 C STREET, WHEATLAND, CA
6:00 – 7:15 p.m.**

PLANNING COMMISSIONERS PRESENT: J. Wickliff, K. Curbow, D. Panteloglow, R. Glynn
ABSENT: T. Mihalyi

OTHER OFFICIALS PRESENT: T. Raney, Community Development Director
K. Valente, Associate Planner

PLEDGE OF ALLEGIANCE:

Commissioner Jared Wickliff led the pledge of allegiance.

PUBLIC COMMENT

None.

PUBLIC HEARING

T. Raney presented discussion of consideration to recommend City Council adoption of an ordinance to amend the City of Wheatland Zoning Code. Section 18.60.320 of the City of Wheatland Municipal Code currently designates swimming pool setbacks the same as required for accessory buildings. The Wheatland Municipal Code currently requires accessory buildings shall observe the same setbacks as main buildings (Section 18.60.010.F). Having the swimming pool setbacks the same as main building setbacks causes frequent issues for Wheatland residents wanting to construct a swimming pool and most always requires the approval of a variance, which adds additional fees and time for the variance approval process. Within the Residential Single-Family zoning district (R-1), the most common residential zoning district with the City, swimming pools would be required to have the following setbacks; R-1 Yard Setbacks (single story) minimum from main building (according to Section 18.60.010.C Accessory Buildings), 5', minimum from side, 5', minimum from street side 15', minimum total two sides (ten feet (10') minimum for pre-existing lots with fifty feet (50') or less front lot width), 14' and minimum rear, 15'; (two or more stories) minimum from main building, 5', minimum from side, 7', minimum from street side, 15', minimum total two sides, 14' and minimum rear, 15'. The proposed changes to the Swimming Pool Setbacks are; minimum from main building, equal to the depth of the portion of the pool alongside the building (greater separation may be required, at the discretion of the City, to protect the integrity of existing buildings), minimum side 5', minimum rear 5'. The adoption Conditional Use Permit is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

Planning Commissioner D. Panteloglow commented on eliminating the two-story difference, concerns related to the depth of the pool, lot sizes being large enough for a standard sized pool, differences between what is allowed for a one or two story, clarification of pool area coverage of 40%, easement concerns between yards, questioned if variance guidelines have been followed with pools in the past and possible consequences to the homeowner when the home is sold.

Planning Commissioner J. Wickliff commented on kidney bean shaped pools and the depth of the shallow end being closest to the house and stated he is comfortable with the 3' setback if proven by an Engineer that this can occur without interfering with the structural integrity of the home, adding it should be certified with an Engineer's Report.

Planning Commissioner R. Glynn commented that pools would not be a problem is accessory building setbacks are not changing and questioned if there have been issues in other counties with the 3' setback. J. Wickliff stated that Sacramento County has a 3' setback.

Public Comment

Applicant Jeff Wick commented on the depth of the pool.

Applicant Dawn Wick questioned if other residents obtained permission from the City before being having a pool built.

Resident Jeff Bradshaw commented that there is no threat of structural integrity if pools are not built side by side on adjoining lots and questioned the repercussions from the City if the work is not permitted.

Resident Dan Cassi questioned if other residents have requested a variance for a pool and was it approved. J. Wickliff stated this is the first time, since he has been a Planning Commissioner, that a request of this nature has been received from a resident related to a pool.

Resident Adam Wick questioned what the Engineer's Report would entail. T. Raney responded that hopefully the pool contractor could provide the necessary information and engineering information for the required certification.

An unidentified speaker questioned if past work on pools complied with what is required from the City.

It was moved by Planning Commissioner J. Wickliff, seconded by R. Glynn to **forward the following recommendation to City Council; to amend the Ordinance for Swimming Pool Regulations in Section 18.60.320 in the Wheatland Municipal Code to allow a 3' foot side and rear yard setback and a setback of 5' from the house but allowing a depth of more than 5' from the house subject to the applicant providing a certified Engineer's Report.** Vote called – AYES: All. Motion carried.

Planning Commissioner J. Wickliff also recommended amending the zoning code for all accessory structures in the near future.

REPORTS

With no other business before the Commissioners, the meeting adjourned at 7:15 p.m.

Respectfully submitted,
Tim Raney, Community Development Director