

June 26, 2002

To: Sutter County Planning Commission

Re: Agenda Item #8: Public hearing on Use Permit #02-17 for the addition of a 6,780 square foot storage warehouse to an existing wild rice processing facility; located at 10400 Billings Road approximately 1,650 feet north of Pennington Road; A. P. #08-110-086; applicant - Larry Erickson/property owners - Gerald & Jennifer Gibbs (Location: District 1 - Commissioner Capaul)

Current Proposal

A. Project Description:

The project is the addition of a new 6,780 square foot storage warehouse to an existing commercial rice processing facility. The addition will add approximately 29% to the existing on-site floor area of the processing facility. Water and sewage disposal is from an existing on-site well and septic system. The location on the project site where the new warehouse is to be located is currently paved and was previously approved as part of the processing facility's parking area.

Access is provided from Pennington Road via Billings Road, a rural roadway, which Gibbs Wild Rice partially maintains through an existing road maintenance agreement dating from the early 1980's.

On-site parking would be increased from the original 10 spaces to 18 spaces. The project will also change the location of the existing MUSDA approximately 120 feet south of its previously approved location as shown on the 1995 parcel map.

B. Environmental Consideration:

An Initial Study was prepared to examine potential impacts of the addition of a 6,780 square foot warehouse to an existing commercial rice processing facility (see attached study - Exhibit C). That study found that the project will not have a significant effect on the environment; therefore, a Negative Declaration is recommended.

Background

A. Property Description:

The subject property is a 5.19 acre parcel containing an existing 23,288 square foot commercial rice processing facility located at the northern terminus of Billings Road. Existing buildings usages are: office and packaging (3,120 square feet), processing area (10,088 square feet), and warehouse (10,080 square feet). The site's parking and maneuvering area is paved.

B. Surrounding Land Use, Zoning Classification, and General Plan Designation:

	Use	Zoning	General Plan
Subject Property	Wild rice processing facility	AG	Agricultural (20 acres parcel minimum)
North	Agricultural	AG	Agricultural (20 acres parcel minimum)
East	Agricultural	AG	Agricultural (20 acres parcel minimum)
South	Residential uses	AG	Agricultural (20 acres parcel minimum)
West	Agricultural	AG	Agricultural (20 acres parcel minimum)

(See study sketch - Exhibit A.)

C. Previous Commission Actions and/or Policies:

In 1981, your Commission denied Use Permit #982 for a wild rice processing facility on this property. The primary reason for the denial was the impact of the processing facility's traffic upon the existing residences along Billing Road. Upon appeal, the Board of Supervisors approved the project. As part of the project approval, the Board required the applicant to widen and make other improvements to Billings Road as well as to enter into an agreement for long term maintenance of the road.

In 1995, your Commission approved a tentative parcel map to subdivide the parent parcel on which the rice processing facility was located.

General Plan Policies in Support of Agricultural Industries

Policy 1.I-1 – The County shall work to preserve and expand business and employment opportunity within Sutter County.

Policy 6.B-1 – The County shall support the development of agricultural production, processing and distribution industries within Sutter County.

Policy 6.B-2 – The County shall encourage local processing of agricultural products grown in Sutter County.

Policy 6.B-3 – The County shall encourage the continued operation and expansion of existing agricultural industries.

Additionally, the AG (General Agricultural) District allows commercial agricultural industrial activities that are in support of agricultural uses by use permit.

Staff Comments

A. Reclamation District 777 (RD):

See attached letter from District (Exhibit D).

B. Public Works Department (PW):

See attached recommended conditions.

C. Environmental Health Division (EH):

See attached recommended conditions.

D. Building (B):

The proposed warehouse addition shall be designed to meet requirements of the 1998 California Building Code (paraphrased).

E. Fire Services (FS):

Depending upon the product stored in the proposed warehouse, a sprinkler system may be required if the stored product is over twelve (12) feet high. A water supply for fire suppression operations with a fire department connection will be required (paraphrased).

F. Planning Division (P):

The proposed use is an expansion of an existing agricultural processing facility consistent with both the policies of the General Plan and the requirements of the Zoning Code. Based upon the Initial Study, the addition will not cause any substantial or significant change to the property or to the vicinity in which it is located. Staff has therefore recommended approval of the use permit subject to several conditions.

The proposed conditions are consistent with the intended use and are necessary to provide minimum safety requirements for the protection of life and property for the protection of existing public improvements, or to comply with code requirements. This use, subject to the conditions, is

not expected to create a negative impact on any adjacent property or adversely affect the public's health, safety, or general welfare.

Reclamation District 777 has commented on the additional covering of the property with impermeable surfaces compared to the previous plan of the property from 1981. In fact, during staff's on-site visit for preparation of the agenda report, staff noted that additional paving was being installed at that time. The Public Works Department has included a requirement for a drainage plan and possibly drainage improvements. That requirement is due to the concern about the additional parcel coverage that has occurred over the last twenty years.

Requirements of the Reclamation District 777, Public Works Department, and Environmental Health Division will require a minor relocation of the parking area, as well as possibly the MUSDA, and other features on the project site in order to provide for drainage and to separate the parking and maneuvering area from the septic tank. Staff has included a condition requiring the preparation of a professionally drawn site plan when building plans are submitted. That plan will show all on-site improvements as they will exist upon project completion.

Recommended Findings

Based upon information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. An Initial Study was prepared to analyze the potential impacts of the proposed warehouse on the subject property. The study concluded that the project would not have a significant impact on the environment; therefore, the adoption of a Negative Declaration is appropriate.
- B. The Planning Commission has independently reviewed, analyzed, and considered the Initial Study and proposed Negative Declaration prior to making its decision on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.
- C. The proposed use is consistent with the Sutter County Zoning Code and the Sutter County General Plan for agricultural support service facilities located within agricultural areas of Sutter County.
- D. The application, as submitted and including the recommended conditions of approval, will not be detrimental to the public's health, safety, or general welfare, or be detrimental to public or private improvements in the area.
- F. Improvements required as conditions of approval are consistent with the property's use for an agricultural service support facility located within an agricultural area in order to provide an adequate level of services providing for the public's health, safety, and general welfare and/or in order to conform to regulations of the Sutter County Ordinance Code.

Recommended Action

- A. Adopt the recommended findings.
- B. Adopt the Negative Declaration.
- C. Approve the use permit for the addition of a 6,780 square foot warehouse to an existing wild rice processing facility subject to the following conditions:

On-going

1. A Notice of Determination including any fees shall be filed in the Office of the County Clerk within five (5) days of the end of the ten-(10) day appeal period. Upon filing of the Notice of Determination, the applicant/developer shall pay any outstanding balance in excess of the amount deposited with the County for processing the use permit application. (P)
2. The property shall be used in substantial accord with the project description and site plan included in the agenda report as well as Use Permit #982, except as may be modified herein. (P)
3. All conditions of Use Permit #982 shall remain in effect except as may be changed or modified herein. (P)
4. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)
5. Within 30 days of project approval, the applicant shall complete and file with the Sutter County Office of Emergency Services a "Hazardous Materials Business Plan and Inventory" or sign and return an Exemption Statement if such a statement has not already been filed. (P)
6. All wastewater shall be disposed into the approved on-site sewage system. (EH)
7. The permitted use must be consistent with the design flow and waste strength established for the on-site sewage system (maximum of 20 employees). Any change of use or failure to comply with the terms of approval will result in the revocation of said permitted use. (EH)
8. Water supply shall be from an individual water supply well and comply with all Sutter County Environmental Health requirements for the use intended. (EH)
9. The discharge of fuels, oils, other petroleum products, detergents, cleaners, or chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. (EH)

10. All activities and use must comply with State and County laws and regulations pertaining to the handling and disposal of all hazardous or acutely hazardous materials. (EH)
11. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (EH)
12. The septic tank serving the project shall be pumped by a registered septic tank pumper at a minimum frequency of at least once every five (5) years. A copy of the pump report must be submitted to Sutter County Environmental Health. (EH)
13. No grading or alteration of the existing terrain that would direct additional waters to the County road shall be done without the approval of the Department of Public Works. (PW)
14. Encroachment permits are to be obtained from the Public Works Department for any new driveway or road connections to be made to existing County roads. Construct new driveway(s) to current County standards. (PW)
15. Building and equipment pads shall be at elevations in conformance with Section 1300-022(F) of the Sutter County Ordinance Code, as defined by Resolution No. 92-124. (PW)

Prior to Issuance of Building Permit

15. Submit a professionally drawn, revised site plan which includes the location of the existing on-site sewage system, the MUSDA, the parking area, as well as all other improvements on the property to the Environmental Health Division and Planning Division for their review and approval. (EH) (P)
16. A grading and drainage plan shall be submitted and approved by the Public Works Department. The plan shall include a drainage study verifying the ability of on-site retention to handle the amount of runoff generated by a 50-year storm event. (PW)
17. Building permit plans shall show how accessibility requirements as required by the 1998 California Building Code will be met. (BD)

Prior to Occupancy of Warehouse

18. Curbs or other protective barriers must be installed around the existing septic tank to protect the tank from automobile and heavy equipment traffic and parking. (EH)
19. Access risers must be installed to grade over each compartment of the existing septic tank to provide access for maintenance and pumping. (EH)

20. Provide a water supply for fire suppression operations with a fire department connection meeting the requirements of the Sutter County Fire Service Administrator. (FSA)

Sincerely,

THOMAS A. LAST
PLANNING DIVISION CHIEF

Dale Follas
Associate Planner

Attachments: Exhibit A - Study Sketch
Exhibit B - Site Plan
Exhibit C - Negative Declaration and Initial Study
Exhibit D - Letter from Reclamation District 777

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