



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING SEPTEMBER 15, 2004
Agenda Item #7

Project # 04-024

Request: Use permit to allow for an agricultural caretaker temporary residence on a 49-acre parcel zoned AG (General Agricultural) District and General Planned Agriculture 80-acre minimum parcel sizes. (Assessor's Parcel No. 25-050-003).

Location: 1800 Tudor Road, Yuba City

Planner: Leanne Mueller, Associate Planner

Zoning Code Designation: AG (General Agricultural) District

General Plan Designation: Agriculture, 80-acre minimum

Applicant/Owner: Parminder S. Khera/Shangara Khera, et al

Staff Recommendation

Staff recommends approval of the Use Permit request for a temporary agricultural caretaker residence on property zoned AG (General Agricultural) District subject to the findings and Conditions of Approval included in this staff report.

Project Description

A request for a use permit to allow for a 700 square foot temporary secondary mobile home for an agricultural caretaker unit on a 49-acre parcel.

Setting

The parcel currently contains a prune orchard and an existing residence. The existing residence and the proposed mobile home are located at the northwest corner of the parcel.

The surrounding land uses, Zoning Designations, and General Plan Designations are described in the table that follows:

	Land Use	Zoning Designation	General Plan Designation
Site	Existing residence/Orchard	AG (General Agricultural) District	AG-80
North	State Route 113/ Vacant Parcel.	AG (General Agricultural) District	AG-80
South	Orchard	AG (General Agricultural) District	AG-80
East	Residences	AG (General Agricultural) District	AG-80
West	Agriculture	AG (General Agricultural) District	AG-80

Previous Actions

No previous actions have taken place on the subject parcel.

Analysis

The subject property is a 49-acre parcel used for a prune orchard. The property is located on the south side of Tudor Road/State Route 113, 1155 feet east of Schlagle Road. Currently there is an existing 900 square foot residence on the subject parcel. The applicant indicates that the temporary mobile home will be used by an employee that assists with the prune orchard. The temporary mobile home will be located in the northwest corner of the property near the existing home in an area that does not have any prune trees located on it. The property has frontage on Tudor Road/State Route 113 and the mobile home will utilize an existing driveway that accesses Tudor Road/State Route 113. The Zoning Code conditionally permits a temporary secondary mobile home to be placed on a property zoned AG district with an approved use permit. The Conditions of Approval will ensure that the temporary mobile home complies with all development standards.

Environmental Analysis

In accordance with the California Environmental Quality Act and the Guidelines, this project is Categorically Exempt, pursuant to CEQA Guidelines Section (15303,) which allows exemptions for new construction of dwelling units.

Recommended Findings

Based upon information contained in this staff report and/or testimony received at the public hearing, staff recommends the following findings:

CEQA

In accordance with the California Environmental Quality Act and the Guidelines, this project is Categorically Exempt, pursuant to CEQA Guidelines Section 15303(a), which exempts new construction of dwelling units.

General Plan

The proposed project has been reviewed and is consistent with the General Plan.

Use Permit

Approval of the use permit, subject to the recommended conditions, will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Recommended Action

Should the Planning Commission agree with staff's recommendation, the following motions would be appropriate:

1. "I move that the Planning Commission find the proposed project exempt from the California Environmental Quality Act as a Class 3 exemption under 14 California Code of Regulations or Guidelines Section 15303."
2. I move that the Planning Commission approve Use Permit #04-024 to allow for a temporary agricultural caretaker temporary residence on Assessor's Parcel No. 25-050-003, subject to the recommended findings and conditions contained in this staff report."

Attachments

- A. Study Sketch
- B. Site Plan
- C. Original Plan Referenced by Environmental Health

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Conditions of Approval

(Project #04-024)

(Parminder Khera, 1800 Tudor Road)

Use Permit to allow for an agricultural caretaker unit on a 49-acre parcel

Ongoing

1. The property shall be developed in substantial accord with the submitted site plan and the agenda report, except as may be amended by the conditions below. (P)
2. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)
3. The mobile home shall be placed upon a non-permanent conventional mobile home foundation system. (P)
4. If at such time the use for which the permit is approved ceases, the mobile home shall be removed from the property within six months of the cessation of use. (P)
- 5.. The use permit shall be valid for a term period of five years subject to extension. (P)
6. Skirting shall be provided along all sides of the mobile home. There shall be no storage of materials under the mobile home except for appurtenances removed from the mobile home and permitted to be stored under the mobile home in accordance with the laws of the State of California. (P)
7. A permit from the Building Inspection Division will be required for the mobile home set up. (B)
8. 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)
9. Building 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)
10. It is up to permittee/owners/builders and subcontractors to comply with all regulations and or permits for storm water regulations through the Regional Water Quality Control Board of the State of California. (PW)
11. The plumbing from the new mobile home must be connected to the existing septic system and must be consistent with the original submitted plans (See

attached plans) which were originally approved. An inspection of the connections will be required by this department before any final approvals. (EH)

12. All wastewater shall be disposed into the approved on-site sewage system. (EH)
13. The permitted use must be consistent with the design flow and waste strength established for the on-site sewage system. Any change of use or failure to comply with the terms of the approval will result in the revocation of said use permit. (EH)
14. Water supply shall be from a private well and shall comply will all Sutter County Environmental Health requirements for the intended use. (EH)
15. 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)
16. 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)
17. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense. There shall be no building of structures, or the storage of any materials allowed under or over any of our facilities or inside any PG&E easements that exist within the subject project. (PG&E)