



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING APRIL 7, 2004
Agenda Item #7

- Request:**
- a) Amendment of the County General Plan designation from Agricultural to Industrial;
 - b) Rezoning from AG (General Agriculture) District to M-1 PD (Light Industrial; Planned Development Combining) District;
 - c) Adoption of a development plan on an approximately 14.2-acre site; and
 - d) Approval of a design review application on an approximately 4.2-acre portion of that site for the construction of a 21,300 square foot agricultural welding/machine shop and office and a 7,500 square foot retail hardware store and office.
- Location:** South side of Highway 20, approximately 650 feet east of Fifth Street in the community of Meridian)
- APN:** #13-090-082, #13-112-020, and #13-112-021
- File:** GPA #03-09, RZ #03-12, and DR #03-08
- Planner:** Dale Follas

Applicant	Property Owner
Meridian Enterprises, LLC P. O. Box 37 Meridian, CA 95957	Meridian Enterprises, LLC P. O. Box 37 Meridian, CA 95957

Staff Recommendation

Recommend that the Board of Supervisors adopt a negative declaration, approve the General Plan amendment to Industrial, approve the rezoning to M-1 PD (Light Industrial; Combining Planned Development) District, approve the design review, and adopt the recommended conditions as the planned development plan.

Project Description

The project is the amendment of the County General Plan designation from Agricultural to Industrial, rezoning from AG (General Agricultural) District to M-1 PD (Light Industrial; Combining Planned Development) District, and adoption of a development plan on an approximately 14.2-acre site, and approval of a design review application on an approximately 4.2-acre portion of that site for the construction of a two-story, 21,300 square foot agricultural welding/machine shop and office and a single-story, 7,500 square foot retail hardware store and office (See Attachments B and D).

Total on-site employment will be 17 people with 14 employed in the shop and 3 in the retail business.

The eastern 10-acre portion of the project site will remain in agriculture until a future use is determined. No active or storage use will occur on that portion of the property. Any future use of the agricultural area will require a development plan amendment.

Setting

The subject property is located on the eastern edge of the rural community of Meridian, immediately north of the property is State Highway 20.

The site is flat and consists of three separate Assessor's parcels with a total of approximately 14.2 acres. Assessor's parcels #13-090-082 and #13-112-020 are one legal parcel. The Westerly most portion of the property running adjacent to Highway 20 is currently being used for the storage of inoperative vehicles, construction materials, inoperative agricultural equipment, and other miscellaneous materials and equipment in violation of the Zoning Code. The Bridge Street access is through an existing residential neighborhood.

	Land Use	Zoning Designation	General Plan Designation
Site	Open Field Agriculture	AG District	Ag-20
North	Hwy 99 and Agriculture	AG District	Ag-20
South	Agriculture and Public School	AG District	Ag-20
East	Agriculture	AG District	Ag-20
West	Residence and PG&E Gas Maintenance Facility	AG District	Industrial and Ag-20

Environmental Analysis

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act and the Guidelines. The study indicated that the project, as proposed, could have a significant impact on the environment; however mitigation measures have been recommended by staff which reduces the possible impacts to a less-than-significant level. Therefore, staff recommends the adoption of the attached Mitigated Negative Declaration and Mitigation Monitoring Program (see Attachment C).

Analysis

General Plan

The applicant is requesting an amendment to the General Plan to change the designation of the subject property from "Agriculture" to "Industrial". The change would enlarge the identified community of Meridian.

In 1992, the adjacent property to the west was added to the community of Meridian when the property was approved by the County for use as a P. G. & E. natural gas testing and maintenance facility. As part of the change on the P. G. & E. property, the General Plan was amended to Industrial designation and the property rezoned to M-1 PD District.

Policy 6.B-3 of the General Plan states, "The County shall encourage the operation and expansion of existing agricultural industries."

The applicant, Meridian Enterprises, has been an established business in the community of Meridian since the mid-1930s. Operating under the name Davis Machine Shop, the business provides welding and equipment repair services as well as parts and hardware sales to the surrounding agricultural community from a location on Central Street in central Meridian. The current locations of the welding shop and the retail business are substantially over-crowded and the business is in need of additional room. Unfortunately, there is no room for expansion at the current location; therefore, the business must re-locate.

The proposed General Plan amendment would allow for the expansion of an existing agricultural service business in Meridian that provides essential services to the surrounding agricultural community. The amendment is consistent with General Plan Policy 6.B-3. Approval of the amendment would be similar to the change adopted for the P. G. & E. property in 1992.

Rezoning/Development Plan

The project includes a rezoning to M-1 PD District and adoption of a development plan. The M-1 PD District is consistent with the proposed "Industrial" General Plan amendment designation. As part of the action to rezone the subject property to M-1 PD District, a development plan must be adopted for the property.

The Zoning Code contains specific policies for the development of property. Rather than request a variance that may not meet the required findings of the Code, the applicant has requested that the property be rezoned to M-1 PD District. The advantage of using the Planned Development Combining district is that, within certain limitations, modification to the specific development standards of the Zoning Code may be allowed without having to make the specific findings required to approve a variance.

The project includes the following proposed modifications to the development standards of the M-1 District: (1) reduction of on-site parking spaces from approximately 40 to 30 spaces, (2) gravel parking for 12 spaces where the Zoning Code requires all on-site parking areas in Meridian to be paved, (3) gravel maneuvering area for a paved handicapped parking space and 12 gravel parking spaces where the Zoning Code requires all maneuvering areas for required, on-site parking in Meridian to be paved, (4) fencing of the open, outside storage area with open cyclone-type fencing and intensive landscaping where the Zoning Code requires a solid wall or fence; and (5) a retail sales use comprising 26 percent of the total building area of the project where the Zoning Code allows a maximum of 15 percent of retail usage.

The applicant proposes to use the northerly portion of the 4.2-acre developed portion of the property for the open storage of the business's miscellaneous pipe inventory. Additionally, this area will be used to store implements and irrigation pumps that are scheduled for maintenance and repair work in the shop. In lieu of a solid wall as required under the Zoning Code to screen the open storage from view from the Highway, the applicant has modified the project to include intensive landscaping as shown on the site plan.

The project includes a total of 18 paved parking spaces and 12 gravel spaces. Of these, 17 paved spaces and 12 gravel spaces would be clustered around the retail store and one paved handicap space would be provided near the office entrance to the machine shop.

Public access to the site would be from two, 36-foot wide driveways from Central Street, approximately 650 feet easterly of Fifth Street. A third, non-public access would be provided though a gate at the property's northwesterly point along Highway 20 at the easterly terminus of Bridge Street.

Domestic water for the project will be provided from a private well to be located on the property and sewage disposal provided by an on-site septic system.

Exterior security and safety lighting will be installed attached to the building. Mitigation measures have been included to insure that light and glare does not affect adjoining properties or the public right-of-way.

Two exterior, attached wall signs are proposed. One sign will be 120 square foot (6 feet by 20 feet) facing Central Street on the retail building and the other will be a 75 square foot (1.5 foot by 50 foot) sign facing Highway 20 on the shop building.

As part of approving the rezone to M-1 PD District, the County will be required to adopt a development plan for the subject property. The development plan will provide uses that may be allowed on the subject property, specify what requirements of the Zoning Code may or may not be waived, and specify the development requirements of the property.

The project also proposes that 26 percent of the project floor area be in retail use where the Zoning Code limits retail usage of M-1 District properties to 15 percent. The expanded usage appears to be justifiable in that its similar to the existing business' existing usage on Central Street and that its part of the larger, future use of the site that will be dealt with in the future when the adjacent 10 acres of agricultural land is developed.

As part of the development plan, after discussion with staff, the applicant has modified the project to limit the rear use of the open storage area, along Highway 20, to their pipe inventory as well as storage of implements and irrigation pumps scheduled for repair in the shop (letter of March 5, 2004). Additionally, the existing debris and miscellaneous materials now stored along the Highway will be removed and, as a part of the development project, the applicant will provide dense landscaping to screen this area from public view. The landscaping will create a screen that will eventually provide a visual barrier screening the storage area from the Highway. This option was favored by the applicant and supported by staff as a reasonable compromise rather than having the applicant provide a solid wall or fence as required by the Zoning Code. In order to be effective, a solid wall or fence would need to be 10 feet high in order to screen the site from view because the Highway is approximately 4 to 5 feet higher than the subject property. Within the landscaping area, but not visible from the highway, the applicant will provide a six-foot high cyclone type fence for security.

Staff has included a recommendation for a minor change in the project design that was incorporated into the revised March 5, 2004 site plan. The change was to move the retail store building approximately six feet to the north and redesign the parking area located in the front of the store to provide a double row of paved parking (see Attachment A). This change from the original site design plan provides 17 paved parking spaces located between the retail building and the street, 12 gravel employee parking spaces located to the north of the retail building, and one paved handicapped parking space located adjacent to the shop building for a total of 30 on-site spaces. Although this site design will not meet the 40 spaces required by the Zoning Code, the site layout has sufficient space for additional parking adjacent to the shop building if those spaces are eventually found to be necessary.

Staff has included other conditions as required by various County codes and ordinances, in order to provide mitigation as discussed in the Initial Study, or to protect adjacent or near-by uses as well as the public's health, safety, or general welfare. The recommended conditions of the project 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, to comply with code requirements, or to comply with Federal, State or regional development requirements. The proposed use, subject to the recommended conditions, is not anticipated to create any negative impacts on adjacent properties or improvements, or adversely affect the public's health, safety, or general welfare.

In the recommended action on the project, staff has included with the General Plan amendment and rezoning a list of project conditions. Those conditions specify uses and

development requirements of the subject property and, therefore, are the development plan for the M-1 PD District.

Design Review

The applicant is proposing to construct a two-story, 21,300 square foot agricultural welding/machine shop and office and a single-story, 7,500 square foot retail hardware store and office as described under the "Project Description" section (See Attachments B and D). Specific details of the project are described in the "Project Description" section.

The project's structures are metal buildings similar to the existing building on the P. G. & E. property.

Staff has included no specific conditions under the "Design Review" portion of the application. All conditions of the design review are contained in the development plan and, therefore, the design review discussion of the project is redundant.

Findings

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

CEQA

1. In accordance with the California Environmental Quality Act and the Guidelines, an Initial Study was prepared to analyze the potential impacts of the proposed project. The study revealed that the project, as proposed, could have a negative impact on the environment; however, with the mitigation measures identified in the Initial Study, all potential impacts would be reduced to a level of less than significant. No written comments have been provided which present evidence that the project will have a significant impact on the environment. Therefore, the proposed Mitigated Negative Declaration and Monitoring Program attached to this staff report are appropriate.
2. The Planning Commission has independently reviewed, analyzed, and considered the Initial Study and Mitigated Negative Declaration prior to making its recommendation on the project and finds that the Mitigated Negative Declaration reflects the independent judgment of the County of Sutter.
3. The Planning Commission has reviewed, analyzed, and considered the request and public testimony prior to making its recommendation and finds that the project will not be detrimental or injurious to property and improvements or to the general welfare of the County.

General Plan

1. The community of Meridian is rural community providing housing and business support services to the surrounding agricultural community.
2. The proposed General Plan amendment to an Industrial designation is a continuation and expansion of the existing identified community of Meridian.
3. The proposed business to be located on the subject property, the agricultural welding business and the retail hardware business, are agricultural support service businesses that are properly and appropriately located in a rural community to provide support services to the surrounding agricultural community.

Rezoning and Planned Development Plan

1. The proposed rezoning of the subject property to M-1 PD (Light Industrial, Combining Planned Development) District is consistent with the proposed amendment of the General Plan to Industrial designation.
2. The proposed site design, site improvements, and site usage are consistent with the development standards of the Zoning Code and General Plan as provided and allowed to be modified under the Planned Development Combining District.
3. Improvements required as conditions of approval are consistent with the property's use for an agricultural support service business located within a rural community and adjacent to sensitive uses 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 or Federal, State, and regional development requirements.

Design Review

1. The proposed site design is consistent with the development standards of the Sutter County Zoning Code for the M-1 PD (Light Industrial; Planned Development Combining) District and the adopted Sutter County Design Guidelines.
2. The proposed project and development plan along with the recommended conditions of approval will not adversely affect the public's health safety or general welfare or be detrimental to public or private improvements in the vicinity.

Recommended Action

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

“The Planning Commission recommends to the Board of Supervisors the following:

1. “The Board finds the proposed mitigated negative declaration was prepared in accordance with the California Environmental Quality Act and the Guidelines.”
2. “The Board of Supervisors adopts the mitigated negative declaration.”
3. “The Board approves the General Plan amendment for the subject property to “Industrial” designation, approves the rezoning to M-1 PD (Light Industrial; Planned Development Combining) District, approves the design review application for the construction of a 21,300 square foot agricultural welding/machine shop and office and a 7,500 square foot retail hardware store and office, and adopts the recommended conditions of the project as the Planned Development Plan for the subject property, based on the recommended findings and conditions contained in this staff report.”
4. “The Board authorizes the related update or the General Plan map of the rural community of Meridian to reflect this change.”

Attachments

- A. Study Sketch
- B. Reduced March 5, 2004 site plan
- C. Negative Declaration and Initial Study
- D. Building elevations

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Conditions of Approval
Meridian Enterprises, LLC
Central Street, Meridian

General Plan (GPA #03-09) to “Industrial” designation;

Rezoning and development plan (RZ #03-12) to M-1 PD (Light Industrial;
Planned Development Combining) District; and

Design review (DR #03-08) for the construction of a 21,300 square
foot agricultural welding/machine shop and office and
a 7,500 square foot retail hardware store and office.

Ongoing

1. A Notice of Determination shall be filed in the Office of the County Clerk within five (5) days of the approval of the project by the Board. (P)
2. Use of the property shall be as described in the agenda report. The easterly 10 acres of the site shall remain in agricultural uses until other usage is approved by a development plan amendment. (P)
3. The property shall be developed, maintained, and used in substantial accord with the submitted site plan and the agenda report, except as may be amended by the conditions below. (P)
4. All on-site signs shall conform to the Sutter County Zoning Code. (P)
5. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)
6. Landscaping shall be installed and maintained as shown on the revised March 5, 2004 site plan. Coastal Redwoods planted on site shall be of at least a 15-gallon size. All landscaping areas shall be irrigated. (P)
7. (MM) The perimeter of the 4.2-acre portion of the property which is to be developed will be landscaped as shown on the Conceptual Landscape Plan dated 3-5-04 with evergreen trees (Coastal Redwood) planted 20 feet on center. Evergreen shrubs (Italian Buckthorn) which will grow from 12 feet to 20 feet in diameter and height shall be planted between the trees at 20 feet on center. These plantings will provide a thick evergreen living fence of 10 feet in height within 5 years. A 6-foot tall chainlink security fence will be placed on the project side of these plantings so as to not obscure the living fence from the street traffic. (P)

8. (MM) All exterior lighting fixtures shall be of a style and type to direct light downward and shall be positioned to prevent light or glare trespass on adjacent properties or the public right-of-way. (P)
9. (MM) If during construction any evidence of archeological or paleontological resources is discovered, the property owner and/or contractor shall stop construction activities, notify the Sutter County Community Services Department of the discovery, shall be required to obtain an archeological consultant to evaluate the discovery, and, if necessary develop appropriate mitigation steps subject to review and approval by the Community Services Department. (P)
10. The project shall provide access, water supply, and fire hydrants per the appropriate sections of the Fire Code as may be required by the local fire service agency. Actual required gallons per minute of water flow shall be determined at the time of building plan review based on the type of construction and location of fire separation walls. (P)
11. Any design changes to the site plan or landscaping plan necessary to comply with the requirements of the drainage plan or the Storm Water Pollution Prevention Plan or availability of landscaping materials may be approved by the Community Development Department providing that the Department finds that they are in keeping with the intent and purpose of the project and the conditions thereof. (P)
12. The Bridge Street access to the property shall not be used as a public access and shall remain gated and locked. (P)
13. The applicant shall install and obtain a permit to operate a public water system from the California State Department of Health Services, Division of Drinking Water & Environmental Management if the employee count exceeds 25 for at least 6 months out of the year. (EH)
14. Water supply shall be from a private on-site well which complies with all Sutter County Environmental Health requirements for the use intended if on-site employee count is less than 25. (EH)
15. The on-site 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 approval will result in the revocation of said permitted use. (EH)
16. Any abandoned on-site sewage systems and individual water supply wells shall be destroyed in accordance with Sutter County Environmental Health regulations. Sutter County Environmental Health permits shall be obtained prior to the commencement of this work. (EH)

17. All operation and monitoring reports must be submitted every six months by a qualified consultant as required by the on-site sewage system permit and/or manufacturer of the proprietary treatment unit. (EH)
18. All wastewater shall be disposed into the approved on-site sewage system. (EH)
19. 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 pumping report shall be submitted to Sutter County Environmental Health. (EH)
20. All on-site activities and uses must comply with State and County laws and regulations pertaining to the handling and disposal of all hazardous or acutely hazardous materials. (EH)
21. All structures producing wastewater shall connect to the public sewer system when it is available, per the Uniform Plumbing Code (UPC). (EH)
22. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (EH)
23. 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)
24. 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)
25. Building permits will be required for all buildings, electrical, mechanical or plumbing design and installation based upon the 2001 California Building Code. (BI)
26. Any relocation or rearrangement of any existing PG&E facility to accommodate this project will be at the developers/applicants expense. There shall be no buildings or structures, including signs, or the storage of any materials allowed under or over any PG&E facility or inside any PG&E easements that exist within the subject property. (PG&E)
27. Construction activities and placement of new building and parking areas shall not result in any additional surface storm water runoff discharge to the State's highway right-of-way or to Caltrans' highway drainage facility. (CALTRANS)
28. No net increase to the 100-year storm event peak discharge into the State's highway right-of-way or to Caltrans' highway drainage facility shall occur as a result of this project. (CALTRANS)

29. All surface storm water runoff that is discharged to the State's highway right-of-way or to Caltrans' highway drainage facility shall meet Central Valley Regional Water Quality Control Board clean water standards prior to discharge. Any improvements that are installed under best management practices shall be installed and maintained at the developers expense and shall be subject to Caltrans approval. (CALTRANS)
30. Any work that will need to be done within the Caltrans highway right-of-way will require an encroachment permit. (CALTRANS)

Prior to Obtaining a Building Permit

31. The project proponent shall pay all Planning Division costs for processing the project application that may be due. (P)
32. (MM) The project proponent shall provide the Community Services Department an exterior lighting plan prepared by a qualified professional for the entire project which shows compliance with all Sutter County lighting requirements prior to the issuance of a building permit. (P)
33. The applicant shall provide proof from Reclamation District 70 that the District has reviewed and approved the drainage plan for the project if that drainage plan proposes to utilize the District's drainage facilities. (P)
34. Assessor's Parcels #13-090-082, #13-112-020, and #13-112-021 shall be merged into one parcel. (P)
35. The project proponent shall obtain approval of a Storm Water Pollution Prevention Permit from the Regional Water Quality Control Board and provide a copy to the Community Services Department. (P & PW)
36. The project proponent shall make application to the Feather River Air Quality Management District for any air quality permits as may be required by that District. Proof of said filing or proof that no air quality permit is required by the District shall be provided to the Community Services department. (P)
37. The project proponent shall have prepared by a registered civil engineer a drainage and grading plan showing the runoff analysis. The drainage and grading plan shall be reviewed by and meet the requirements of the Public Works Department. (PW)
38. If sufficient rights of way do not already exist, additional rights of way and/or public utility easements shall be deeded to Sutter County to provide the specified one-half widths of the following indicated roads:

Central Street: 40.0' R/W + 10' P.U.E. (PW)

39. 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)
40. 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. (PW)
41. A deferred improvement agreement, secured by a bond or other security approved by the director of Public Works shall be entered into with Sutter County. This agreement shall run with the land and shall be binding on all successors in interest. The agreement shall provide for curbs, gutters, sidewalks and street paving along Central Street. (PW)
42. The project proponent shall submit to the Sutter County Environmental Health Division a complete set of construction plans and specifications for the public well and the designed on-site sewage disposal system pursuant to the requirements of the California State Health Services, Drinking Water & Environmental Management Division and Sutter County Environmental Health regulations. (EH)
43. An authorized professional shall design a non-residential on-site sewage system and shall certify that the proposed non-residential on-site sewage system meets Sutter County regulations and will adequately serve the proposed facility. The applicant shall have an authorized professional submit to the Environmental Health Division:
 - a. Information which shows that the sewage is not industrial wastewater;
 - b. Information that establishes the sewage waste strength and identifies chemicals present in the sewage that are not found in residential sewage;
 - c. A design that provides treatment equal to that required for residential sewage;
 - d. An approved operation and maintenance contract between the system owner and qualified operation and maintenance provider (certified by the proprietor of the treatment unit), if applicable; and
 - e. The sewage disposal system and its replacement area shall be protected/surrounded by bollards and/or fencing. (EH)

Prior to Occupancy

44. Landscaping and the landscaping irrigation system shall be installed. (P)

45. The existing inoperative vehicles and vehicle parts, construction materials and building parts, inoperative agricultural equipment, and other miscellaneous materials and equipment now stored on the extension of Bridge Street adjacent to Highway 20 shall be removed from the site. (P)

Upon Occupancy

46. The business proprietor shall file and maintain a Hazardous Material Inventory Plan with the Community Services Department and pay appropriate fees. (P)