



## PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING APRIL 21, 2004  
Agenda Item #7

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**Request:** The project is the construction of a new 27,200 square foot rice storage warehouse.

**Location:** Southwesterly of the intersection of Knights and Ensley Roads and easterly of State Highway 113, northerly of the Sacramento River and the Yolo County community of Knights Landing.

**APN:** #34-050-035, #34-050-036, #34-050-039, and #34-071-006

**File:** Project #04-006 (Use Permit)

**Planner:** Dale Follas

<b>Applicant</b>	<b>Property Owner</b>
Sutter Basin Growers Co-op P. O. Box 355 Knights Landing, CA 95645	Sutter Basin Growers Co-op P. O. Box 355 Knights Landing, CA 95645

### **Staff Recommendation**

Adopt the Negative Declaration and approve the use permit.

### **Project Description**

The application is a use permit for the addition of a new 27,200 square foot rice storage warehouse for the existing Sutter Basin Growers Incorporated storage facility (see Attachment B).

### **Setting**

The project is located on a flat site consisting one legal parcel that is assessed as four separate Assessor's parcels with a total area of approximately 58 acres.

The eastern portion of the property contains a large rice and dry bean storage facility (Sutter Basin Growers Co-op) containing over 130,000 square feet of storage warehouses, offices, and shop space. This area also contains two paved and covered areas for employee parking as well as three large, graveled areas available for automobile and truck parking.

The western portion of the property contains approximately 42 acres that is used for agricultural field crop production. The new warehouse would remove approximately ¾ of an acre from agricultural production. (See Attachment A for surrounding land uses)

	<b>Land Use</b>	<b>Zoning Designation</b>	<b>General Plan Designation</b>
Site	Agricultural Storage Facility and Open Field Agriculture	AG (General Agricultural) District	Ag 20 (Agricultural, 20 acre minimum)
North	Single-family residences and Agriculture	AG (General Agricultural) District	Ag 20 (Agricultural, 20 acre minimum)
South	Knights Road and the Sacramento River	AG (General Agricultural) District and AG-FP (General Agricultural, Special Flood Plain Combining) District	Ag 20 (Agricultural, 20 acre minimum) & OS (Open Space)
East	Agriculture	AG (General Agricultural) District	Ag 20 (Agricultural, 20 acre minimum)
West	Highway 113 and Agriculture	AG (General Agricultural) District	Ag 20 (Agricultural, 20 acre minimum)

### Previous Actions

The subject property has previously had several use permits and a use permit amendment approved on it for the expansion of the subject storage facility (UP #1057 - 1982, UP #1343 - 1985; UP #1507— 1988; and UPA #00-02 - 2000).

### 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 included and agreed to by the applicant 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

The proposed use is an expansion of approximately 21 percent of total floor area of an existing agricultural commodities storage facility. The Sutter Basin facility provides rice and bean storage for agriculturalists in the area that are part of their association.

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

The Sutter County Zoning Code allows the intended use with the approval of a use permit (Section 1500-1412).

The proposed expansion is an agricultural industry within the meaning of Policy 6.B-3. Its proposed expansion is consistent with that policy and, with the approval of a use permit, the use is consistent with the Zoning Code.

The project's Initial Study found only one significant effect upon the environment or adjacent uses from the expansion; however, the applicant has provided a mitigation measure which reduces that impact to a less than significant level.

One other point as noted in the Initial Study is that the subject property contains paved parking for only approximately 20 vehicles while at times there are over 30 employees on-site. Additionally, during the summer harvest, the site has numerous trucks parking on-site. In order to provide parking for the additional harvest period employee vehicles and heavy trucks, the site has several large gravel parking areas that appear to have sufficient room to park approximately 100 vehicles. The Zoning Code does not require that parking in this portion of the County be paved. It only requires gravel surfacing; therefore, the proposed use has significantly more parking area than is required by the Code.

Staff has included other conditions as required by various County codes and ordinances, in order to protect adjacent or near-by uses or to protect the public's health, safety, and 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.

On April 2, 2004, after the notices to the adjoining property owners were mailed for this project but prior to the final preparation of this agenda report, a neighbor of the Sutter Basin property visited the Community Services Department to complain about the proposed expansion. The neighbor's complaint was basically an air quality issue; therefore, she was referred to the Feather River Air Quality Management District (FRAQMD). In its project circulation, staff sent a copy of the project proposal to the FRAQMD, but received no response. After calling FRAQMD and determining that the project may be a modification to FRAQMD's existing permit, staff included a condition requiring the applicant to submit an application to FRAQMD to modify the existing FRAQMD permit if required by the District.

## **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 measure 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 Negative Declaration prior to making its recommendation on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.

### **Use Permit**

1. The proposed project for the expansion of an agricultural support service as allowed under policy 6.B-3 of the Sutter County General Plan and under the Section 1500-1412 of the Sutter County Zoning Code.
2. The Planning Commission has reviewed, analyzed, and considered the request and public testimony prior to making its recommendation and finds that the Use Permit will not be detrimental or injurious to property and improvements or to the general welfare of the County.
3. The proposed business is an agricultural storage facility is properly and appropriately located in the rural area of the County to provide support services to the surrounding agricultural community.
4. The proposed site design, site improvements, and site usage are consistent with the development standards of the Zoning Code and General Plan.
5. 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.

### **Recommended Action**

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

"The Planning Commission moves to:

1. Finds that the proposed Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act and the Guidelines.
2. Adopt the Mitigated Negative Declaration.

3. Approve the use permit for the addition of a 27,000 square foot storage warehouse to the existing Sutter basin Growers facility, based on the recommended findings and conditions contained in this staff report.”

### **Attachments**

- A. Study Sketch
- B. Site plan
- C. Negative Declaration and Initial Study

P:\Projects\2004\04-006 Sutter Basin Growers\Staff Reports\Sutter Basin (staff report)

**Conditions of Approval**  
Meridian Enterprises, LLC  
Central Street, Meridian

Use Permit Application #04-006) for a 27,000 square foot addition  
to an existing commercial storage facility.

**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. (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. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)
5. Any new 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)
6. (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 evaluation the discovery, and, if necessary develop appropriate mitigation steps subject to review and approval by the Community Services Department. (P)
8. 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)
9. 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)
10. 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)

11. 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)
12. 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)
13. 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)
14. All wastewater shall be disposed into the approved on-site sewage system. (EH)
15. 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)
16. 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)
17. All structures producing wastewater shall connect to the public sewer system when it is available, per the Uniform Plumbing Code (UPC). (EH)
18. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (EH)
19. 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)
20. 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)
21. Building permits will be required for all buildings, electrical, mechanical or plumbing design and installation based upon the 2001 California Building Code. (BI)
22. 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)

### **Prior to Obtaining a Building Permit**

23. The project proponent shall pay all Planning Division costs for processing the project application that may be due. (P)
24. The project proponent shall prepare 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)
25. 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)
26. 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)
27. 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)
28. The permittee/owners/builders and subcontractors shall comply with all regulations and/or permit requirements for storm water regulations of the Regional Water Quality Control Board of the State of California. (PW)
29. 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)

### **Upon Occupancy**

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