



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING MAY 19, 2004
Agenda Item #6

Request: Use Permit #03-17 to allow the addition of an agricultural caretaker temporary residence in the AG (General Agricultural) District; located at 4321 Franklin Road, Yuba City; A. P. #13-280-062.

Planner: Douglas G. Libby, AICP, Senior Planner

**Applicant /
Property Owner:** Kulwinder Randhawa, 415 Lyndsey Lane, Yuba City, CA 95993

Staff Recommendation

Approve the request for a use permit allowing a temporary agricultural caretaker unit on property zoned AG (General Agricultural) District subject to the findings and Conditions of Approval included in this staff report.

Project Description

The project is a request for a use permit to allow a temporary agricultural caretaker unit on a 13.87 acre parcel zoned AG (General Agricultural) District.

Setting

The applicant owns three parcels totaling 72.12 acres that are either currently in agricultural production or are planned to be in agricultural production. While they are not contiguous, they are all maintained by the same owner. The subject parcel is located adjacent to a 36.43 acre parcel also owned by the applicant, which will contain agricultural uses to be maintained by the caretaker residing in the proposed agriculture caretaker unit located on the subject parcel.

Prunes were historically farmed on two of the parcels owned by the applicant, and the applicant is in the process of preparing the land for re-plantation of prunes, thereby creating the need for the temporary agricultural caretakers unit.

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

	Land Use	Zoning Designation	General Plan Designation
Site	Agricultural, single family dwelling unit, agricultural shop, and a mobile home	AG	Agriculture - 20
North	Agriculture	AG	Agriculture - 20
South	Agriculture	AG	Agriculture - 20
East	Agriculture	AG	Agriculture - 20
West	Agriculture	AG	Agriculture - 20

Previous Actions

No previous actions have taken place on the subject parcels.

Analysis

The applicant owns Assessor's Parcel Nos. 13-280-062 (13.87 acres), 13-280-138 (21.82 acres), and 13-280-139 (36.43 acres). Parcels 13-280-062 and 13-280-139 are adjacent to each other, while Parcel 13-280-138 is non-contiguous. Currently there is a residence, an agricultural shop, and a mobile home for the agricultural caretaker on the subject parcel, APN 13-280-062. While most of the trees on Parcels 13-280-062 and 13-280-139 were recently removed, agricultural activity consisting of peach trees still remain on parcel 13-280-138. It has been conveyed to staff by the applicant that all of the parcels will continue to be used for agricultural purposes.

The applicant has indicated that an on site caretaker unit is needed to oversee all of the agricultural uses contained on the three parcels. It was originally staff's recommendation that the mobile home be placed on Parcel 13-280-139, which is currently the only one of the three parcels not containing an existing residence. In addition to reducing the density potential in the agricultural land use designation, a use permit would not be required because there are no homes on that property.

In response to staff's recommendation, the applicant explained that locating the mobile home on Parcel 13-280-139 would not be beneficial since the mobile home has already been placed next to the agricultural shop and is already connected to the septic system and electrical supply. Locating the mobile home on Parcel 13-280-062 also provides ease of farm operations and security.

While placing the mobile home on Parcel 13-280-062 adjacent to the existing residence and agricultural shop is convenient, it creates a potential for increased density within the agricultural zoned area of the County. For example, the agriculture caretaker may provide care for all parcels owned by the applicant until such time that they are sold to different owners, thereby creating opportunity for an agricultural caretaker unit to be placed on the other two parcels. In order to curtail this, a condition is proposed allowing for the revocation of the permit in the event that any of the three parcels mentioned in this staff report are sold.

Environmental Analysis

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

Findings

CEQA

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

The project is Categorical Exempt from CEQA review under Section 15303 as a Class 3 exemption.

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:

"The Planning Commission moves to:

1. Find the proposed project exempt from the California Environmental Quality Act as a Class 3 exemption under Section 15303.
2. Approve the use permit allowing an agricultural caretakers unit on Parcel 13-280-062, subject to the recommended findings and conditions contained in this staff report."

Attachments

- A. Site Map
- B. Study Sketch

Conditions of Approval
Use Permit #03-017
(Kulwinder Randhawa, Lyndsey Lane)

A Use Permit allowing an Agricultural Caretakers Unit in an AG zone

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. In the event that parcels 13-280-062, 13-280-139 or 13-280-138 are sold during the course of the five year term period of the Use Permit, or any extension of the Use Permit, the agricultural caretaker unit shall be vacated and removed within six months. (P)
4. The mobile home shall be placed upon a non-permanent, conventional mobile home foundation system. (P)
5. If at such time the use for which this permit is approved ceases, the mobile home shall be removed from the property within six months of the cessation of use. (P)
6. The use permit shall be valid for a term period of five years subject to extension. (P)
7. 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)
8. Building and equipment pads shall be at elevations in conformance with Section 1300-022 (F) of the Sutter County Ordinance Code, as defined by Resolutions No. 92-124. (PW)
9. 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: (PW)

Franklin Road	33.0' R/W + 10.0' P.U.E.
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10. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be done at the developers / applicants expense. (PG&E)

11. There shall be no building of structures, or the storage of any materials allowed under or over our facilities or inside any PG&E easements that exist within the subject property. (PG&E)
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 approval will result in the revocation of said permitted use. (EH)
14. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (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 pump report must be submitted to Sutter County Environmental Health. (EH)
16. 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)
17. 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)