

**COLUSA COUNTY ZONING ADMINISTRATOR
AGENDA REPORT – MAY 23, 2018**

APPLICANT: Don Traynham

FILE #: UP #18-3-1 (ED #18-6)

REQUEST: Don Traynham is requesting a Minor Use Permit for the temporary use of 8,000-square feet of a 21,600-square foot agricultural building for the construction of residential roof trusses.

GENERAL PLAN: Agriculture General (AG)

ZONING: Exclusive Agriculture (E-A)

APN: 017-030-104

LOCATION: The project site is located at 2795 State Route 20 approximately one half miles east of the highway.

PARCEL SIZE/PROJECT SIZE: The project consists of separating approximately 8,000-square feet of floor space from a 21,600-square foot agricultural building located on a 63.7-acres parcel with a two hour fire wall to allow that area to be utilized for the construction of residential roof trusses.

PLANNER: Kent Johanns, Associate Planner

ATTACHMENTS/EXHIBITS: A: Conditions of Approval
B: Location Map
C: Site Plan

STAFF COMMENT:

Staff recommends approval of the Minor Use Permit with conditions and findings.

PROJECT AND SITE DESCRIPTION:

The project consists of allowing a 8,000-square foot portion of a 21,600-square foot agricultural building to be used for manufacturing residential roof trusses. The land use in the project area is a mixture of agriculture, natural habitat, and industrial uses. The applicant is in the process of

constructing a 21,600-square foot agriculture building to store his agricultural equipment. The California Building Code requires the building be classified in terms of use so the construction and fire code standards can be applied. In this case the agricultural building is classified as a U occupancy. However, the 8,000-square foot portion of the building proposed to be used as the truss manufacturing area to service a residential subdivision across SR 20 would have a F-1 occupancy. In order to meet building and fire code requirements the uses need to be separated by a two hour fire wall. Potential truck traffic from the project site is expected to be relatively light at three to four trucks a day and will not create any traffic issues.

ANALYSIS:

General Plan and Zoning:

The project site has a General Plan land use designation of Agriculture General (AG). The General Plan has objectives and policies that support the proposed project, for example:

Objective ED-1: To diversify the Local Economy Through Encouraging Commercial and Industrial Development that Increases Local Employment Opportunities...

The project site has a zoning classification of Exclusive Agriculture (E-A). The 21,600 square foot agricultural building is a permitted use in the E-A. The 8,000-square foot portion of the agricultural building to be used for truss construction is the subject of the Minor Use Permit application. The zoning ordinance provides for the proposed use under Section 44-2.20.30, Allowed Uses in the Agricultural Zoned, Table 44-2.20-2 allows for construction, maintenance and repair services with the approval of a Minor Use Permit. Therefore, the project is considered to be consistent with current zoning regulations with approval of this Minor Use Permit (MUP #18-3-1).

Surrounding Land Use and Compatibility:

As mentioned above the area has agricultural, natural habitat, and industrial activities occurring adjacent to or on the project site. The project as proposed is not anticipated to impact agricultural, industrial operations, or habitat uses in the area and is considered to be conditionally compatible with the surrounding land use in the area.

ACTIONS FOR CONSIDERATION:

Staff recommends that the Zoning Administrator take the following actions:

- I. Adopt a Categorical Exemption, 15301 - Class 1(a) (ED #18-6)

Section 15301 Class 1(a); Interior or exterior alteration involving such things as interior partitions, plumbing, and electrical conveyances

- A. Find that the proposed Categorical Exemption is adequate and reflects the independent judgment and analysis of the County, which is the lead agency.
- II. Approve the Minor Use Permit subject to the following findings and conditions found in Exhibit A:
- A. The proposed use of property will not impair the integrity and character of the zone in which the land lies, and that the use would not be injurious or detrimental to the health, safety and general welfare of the persons residing or working in the neighborhood, or to the general health, welfare and safety of the County.
 - B. The project would not be unreasonably incompatible with surrounding land uses. The project is in a zoning classification conditionally suitable for the proposed use.
 - C. Approval of this project will not be detrimental to the public health, safety and welfare with compliance of the required conditions.
 - D. The project is consistent with the Colusa County General Plan Land Use Element goals and policies.

**EXHIBIT A
USE PERMIT
COLUSA COUNTY ZONING ADMINISTRATOR**

DATE

**MUP #18-3-1
PERMIT NO.**

**017-030-104
ASSESSORS PARCELS NO.**

Pursuant to the provisions of the Zoning Ordinance of the County of Colusa and the special conditions set forth below, Don Traynham is hereby granted a Minor Use Permit in accordance with the application filed to allow an 8,000-square foot portion of a 21,600-square foot agricultural building to be used for manufacturing residential roof trusses, located on AP# 017-030-104 .

Standard Conditions

- A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of this Minor Use Permit, constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Colusa County Zoning Ordinance, including Colusa County Code Section. 7.29.
- B. Unless otherwise provided for in a special condition to this Minor Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
- C. Minor changes may be approved administratively by the Directors of Community Development and Public Works upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department or Division that the modification is consistent with the application fees paid and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application or amendment.

- D. The use granted by this permit must be established within 24 months of the delivery of the countersigned permit to the Permittee. If any use for which a use permit has been granted is not established within two years of the date of receipt of the countersigned permit by the Permittee, the permit shall become null and void and re-application and a new permit shall be required to establish the use.

- F. The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the Permittee.

Conditions of Approval

Planning & Building:

1. The applicant agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.

2. Prior to any use of the agricultural building for the truss manufacturing the applicant shall apply for and receive a building permit from the Colusa County Department of Community Development for the construction of a two hour fire wall.

3. If upon approval of this Minor Use Permit any health or safety hazard arises due to the operation allowed by this Minor Use Permit; the Zoning Administrator shall hold a Public Hearing to hear comments and consider whether Conditions of Approval need to be revised, added, or revoked.

4. Applicant shall comply with all federal, state and local statutes, ordinances and regulations.

I hereby declare under penalty of perjury that I have read the foregoing conditions, that they are in fact the conditions which were imposed upon granting of this use permit, and that I agree to abide fully by said conditions.

Dated: _____
Applicant

Note: Issuance of the Minor Use Permit does not waive requirement of obtaining Building and Health Department permits before starting construction nor does it waive any other requirements.



Dated: _____
Zoning Administrator

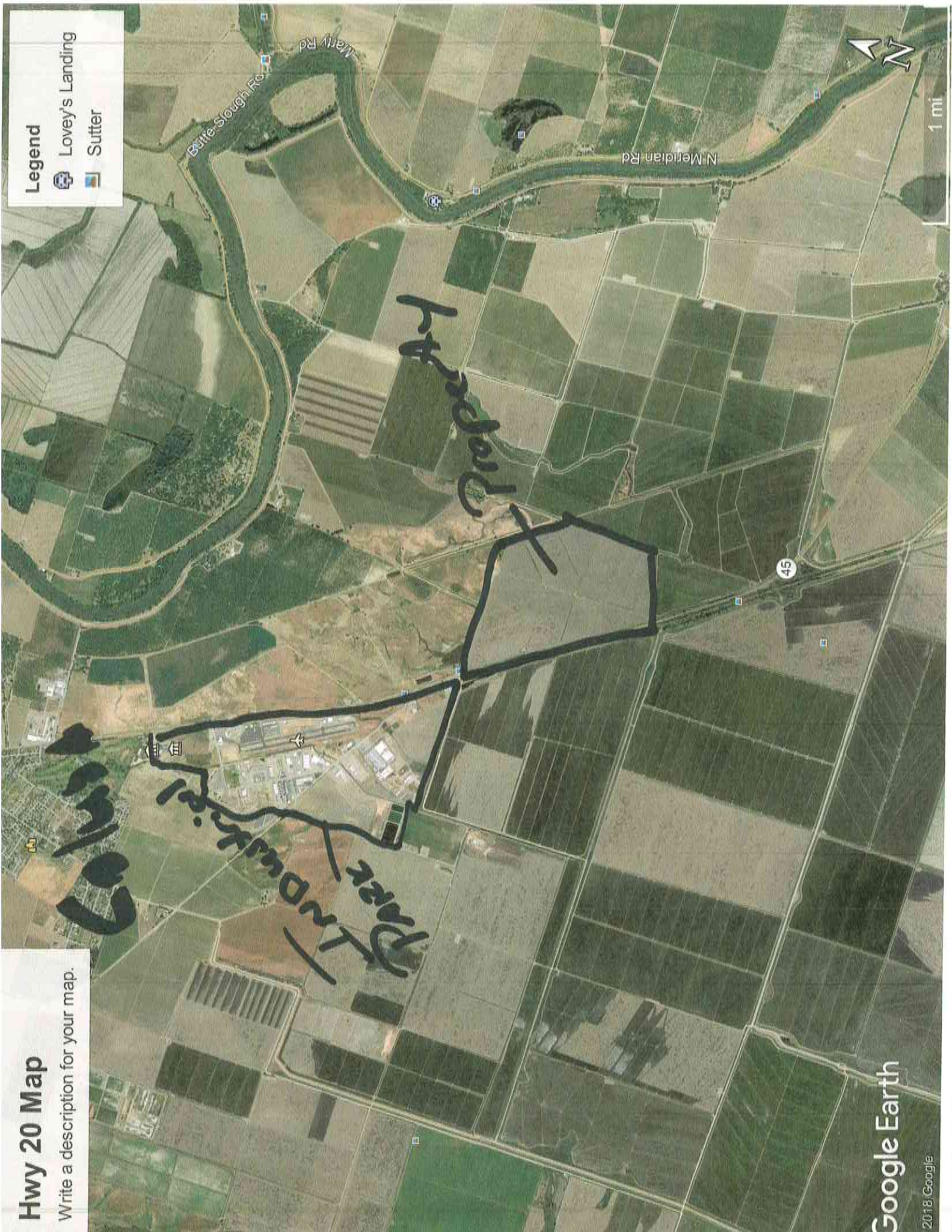
Cc: Public Works Department
Building Unit
Environmental Health Division
Fire District Chief

Hwy 20 Map

Write a description for your map.

Legend

-  Lovey's Landing
-  Sutter



Hwy 20 Map

Write a description for your map.

Legend

-  Lovey's Landing
-  Sutter

Private Current Access

 PAD FOR Shop



Hwy 20 Map

Write a description for your map.

Legend

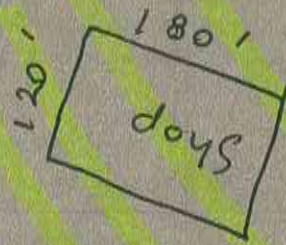


Lovey's Landing



Sutter

FARA
Equipment
Storage



Rice

Rice

Rice

Rice

Google Earth

© Google

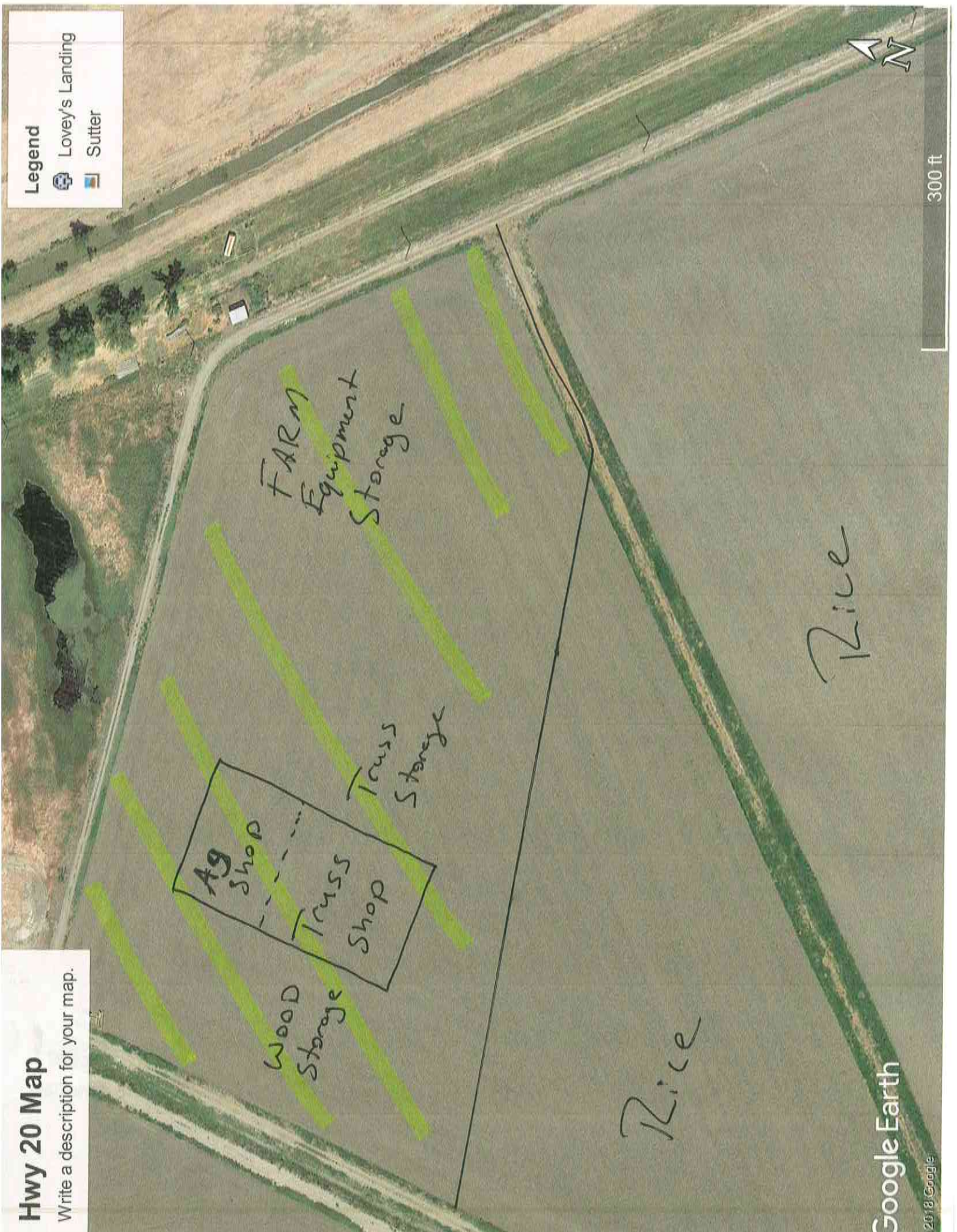


Hwy 20 Map

Write a description for your map.

Legend

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FARM
Equipment
Storage

Truss
Storage

Ag
Shop
Truss
Shop

Wood
Storage

Rice

Rice



300 ft