

April 30, 2003

To: Sutter County Planning Commission

Re: Agenda Item #8: Commission consideration of extension of Use Permit #99-31 for a commercial stable and a mobile home as a temporary, secondary residence for an agricultural employee; AG (General Agricultural) District; located on the north side of Franklin Road, approximately ½ mile west of Township Road, Yuba City; A. P. #13-280-041; applicant/property owner - Dawn Lee (Location: District 4 - Commissioner Southard)

Current Proposal

A. Project Description:

The project is an extension of an approved use permit for a commercial stable and mobile home that will be used as a temporary, secondary residence for an agricultural employee

B. Environmental Consideration:

A Negative Declaration was approved along with the use permit on January 5, 2000. A Notice of Determination was filed on April 13, 2000.

Background

A. Property Description:

The property is a 40-acre parcel that is being developed with a commercial horse boarding facility and a manufactured home. Please refer to Exhibit B for a detailed site plan showing the site's improvements.

B. Surrounding Land Use, Zoning Classification, and General Plan Designation:

	Use	Zoning	General Plan
Subject Property	Agricultural	AG	Agricultural (80 acres per dwelling units) & Low Density Residential
North	Agricultural	AG	Agricultural (80 acres per dwelling units) & Low Density Residential
East	Agricultural	AG	Agricultural (80 acres per dwelling units) & Industrial
South	Agricultural	AG	Agricultural (80 acres per dwelling units)
West	Agricultural	AG	Agricultural (80 acres per dwelling units)

C. Previous Commission Action/Policies:

Your Commission approved Use Permit #99-31 on January 5, 2000.

Staff Comments

It has been three (3) years since your Commission approved the subject permit. Section 1500-8222 of the Zoning Code authorizes staff to administratively approve extensions of use permits for the first three (3) years following commission approval. After three years, the Zoning Code requires your Commission to approve such extensions of time.

Since the project's approval, the ownership of the property has changed from Mark and David Hamby to the Lees who were the original applicants for the permit. The Lees have constructed a riding arena, two commercial horse boarding barns and a shop. They still need to construct the commercial bathroom facilities, a covered riding arena and the caretaker unit. A future competition arena has been shown on the attached site plan but has not been approved by either your Commission or staff. If the Lees wish to have this additional arena, they will need to apply for a minor amendment to their use permit prior to the time they wish to construct it.

The Lees have requested by letter (Exhibit C) that their permit be extended for three (3) additional years in order to complete their facility. Staff is supportive of their request and recommends that the proposed extension of time be approved.

Recommended Findings

Based upon information contained in the staff report and/or testimony received at the hearing, the Commission finds:

- A. The commercial horse boarding facility is developing consistent with the Commission's original approval.

- B. There has been no significant change in character of the neighborhood which would make the extension of the use permit detrimental to that neighborhood.

Recommended Action

- A. Adopt the recommended finding.
- B. Approve the extension of Use Permit #99-31 until January 5, 2006.

Sincerely,
LISA WILSON
INTERIM PLANNING DIVISION CHIEF

Douglas G. Libby, AICP
Associate Planner

Attachments: Exhibit A - Study Sketch
Exhibit B - Site Plan
Exhibit C - Applicant's Letter

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