

COUNTY OF PLACER Community Development Resource Agency

BUILDING

Administrative Policy Agricultural Exempt Buildings

TO:

Building Department Staff

From: Bob Martino, Chief Building Official

Approved: Chief Building Official, Bob Martino

Effective Date: October 22, 2007

ISSUE:

The proper application of the local amendment to the building code that exempts qualified agricultural buildings from building permit and inspection requirements.

BUILDING DIVISION ANALYSIS:

As modified in Section 15.04.050 C (14), this exemption provides direction as to the application of the exemption as it relates to qualified agricultural buildings based on use and property size.

APPLICABLE SECTION RESTATED: (adopting language)

Agricultural buildings or structures as defined in IBC Section 202, on any property "zoned F, RF, AE, or RA, consisting of 10 or more acres" or California Land Conservation properties, when such property and building(s) are primarily used for agricultural purposes or when such buildings or structures are necessary to the agricultural development or use of such property, are exempt from a building permit when they comply with this section. The provisions of this section shall not include the owner's or lessee's dwelling or private garage, or any human habitation which is held out for rent or lease or sale. An owner or lessee of such property may obtain the services of the Building Department for buildings herein exempt, provided he/she applies for a building permit and pays the fees therefore. All buildings exempted under this section shall still be governed by the provision of the Placer County Plumbing, and Electrical Codes. A setback verification permit for a structure, not herein exempted, will be issued for an agricultural building in the above zones upon presentation of an acceptable plot plan, (2 copies), a departmental approval form indicating Planning Department approval, and which may also require approval by the Agricultural Commissioner, and payment of the current prescribed recording and handling fee.

POLICY:

This policy is established to develop and maintain consistency for interpretation and application of this provision. The term "Qualified" shall mean to be determined to meet the specific criteria as it relates to how the building will be used. This may require approval of the Agricultural Commissioner.

In determining whether a proposed agricultural building or structure qualifies for a building permit exemption, a factual determination must be undertaken and all three of the following questions must be answered affirmative:

- (1) Does the proposed agricultural building or structure fall within the definition of Uniform Building Code Section 202?
 - (UBC 202 defines an agricultural building as: "a structure, designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticulture projects. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.")
- (2) Is the proposed agricultural building or structure proposed on property that is zoned F, RF, AE, or RA; consisting of 10 or more acres; or on California Land Conservation properties?
- (3) Is such property and building(s) used primarily for agricultural purposes or are such buildings or structures necessary to the agricultural development or use of such property?
- 1. Qualified agricultural buildings, as determined by the above criteria, located on parcels of 10 acres or more and located on property zoned F, RF, AE, or RA, or "California Land Conservation properties" will be exempt from plancheck, permitting requirements and inspections from the building department. Qualified agricultural buildings will pay no building permit, plancheck, or inspection fees. However, if the building includes plumbing and/or electrical those applicable fees will apply. This exemption does not relieve the applicant or property owner from obtaining approval of the planning department for location on the property and payment of the recording and handling fee prescribed in the building fee schedule.
- 2. Agricultural buildings on less than 10 acres will be permitted as provided for in the applicable code sections of the California Building Code. These buildings do not qualify for an exemption under the current adopted provision.