

January 30, 2002

To: Sutter County Planning Commission

Re: Agenda Item #9: Public hearing on Planned Development Amendment #01-02 to allow a 20' by 40' commercial coach for an existing residential care facility; R-4 PD (General Apartment, Planned Development Combining) District; located at 2290 Forrest Lane, Yuba City; A. P. #20-030-027; applicant - Willow Glen Care Center/property owner - Galen Fillmore (Location: District 4 - Commissioner Bajwa)

### **Current Proposal**

#### A. Project Description:

The applicant requests approval of a planned development amendment to allow a 20' by 40' (800 square foot) commercial coach for an existing residential care facility. The commercial coach is proposed for temporary use only, for a maximum of three years. The Zoning Code does not require design review for proposed buildings within residential zone districts.

#### B. Environmental Consideration:

This project is considered categorically exempt pursuant to CEQA Guidelines, Section 15303, New Construction or Conversion of Small Structures.

### **Background**

#### A. Property Description

The subject site is 4.52 acres in size and is developed with a 12,600 square foot residential care facility.

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

	Use	Zoning	General Plan
<b>Subject Property</b>	Residential care facility	R-4 PD	HDR
North	Residential	R-1	LDR
East	Agricultural (orchards)	AG	Ag-20
South	Agricultural (orchards)	AG	Ag-20
West	Agricultural (orchards), residence	AG	Ag-20

C. Previous Commission Actions/Policies

On May 9, 2000, the Board of Supervisors approved applications for a General Plan amendment to change the designation of the subject property from Ag-20 (Agricultural, 20-acre minimum) to HDR (High Density Residential) and rezoning to change the zoning classification from AG (General Agricultural) District to R-4 PD (General Apartment, Planned Development) District. The Board also approved a planned development amendment (PD #00-01) to allow expansion of the existing residential care facility to include the addition of approximately 7,600 square feet to the existing building, subject to conditions of approval (see Exhibit E). On April 5, 2000, the Planning Commission had unanimously recommended that the Board of Supervisors approve these applications. The Board of Supervisors staff report, which includes the Planning Commission staff report packet and further background information, is attached as Exhibit F.

**Staff Comments**

A. Public Works Department (PW):

See Conditions #7-#12.

B. Environmental Health (EH):

See Conditions #13-#18.

C. Building Division (B):

See Conditions #4-#6.

D. Sutter County Fire Services (F)

No comments.

E. Yuba City Fire Department (YCFD)

See Condition #19

F. Planning (P):

The subject property is zoned R-4 PD (General Apartment, Planned Development Combining) District. As noted above, a previous planned development amendment was approved in May 2000 to allow expansion of the existing residential care facility. The previously approved expansion allows for an additional 7,600 square feet of area to the existing building to be used for activity rooms, storage, laundry facilities, beauty shop and offices. No additional bed capacity was proposed as part of that approval.

Prior to this addition being built, the applicant is requesting approval to install a 20' by 40' (800 square foot) commercial coach for temporary use on the property to provide area for indoor group activities such as arts and crafts, painting, exercising, and reading. The commercial coach is proposed to be located near the southeast corner of the subject parcel, 21 feet north of the south property line on existing paved area, next to the existing landscape planter (See site plan - Exhibit B).

Due to the relatively small size (800 square feet) of the commercial coach, its proposed location on the property, and the temporary nature of the use, staff does not believe the proposal will significantly impact on-site parking for the residential care facility. Staff is recommending a condition requiring that skirting be provided along all sides of the commercial coach. The skirting will be required to be compatible with the colors and materials of the commercial coach and required to be maintained at all times.

The Environmental Health Division has reviewed the project and commented that final approval must be obtained on the on-site sewage system previously permitted on July 27, 2000 for the expansion of the facility. The applicant will be required to provide certification from the engineer stating that the installation of the system was consistent with their design and in compliance with Sutter County on-site sewage regulations. An as-built drawing detailing any changes made from the approved design in regard to location or installed components will also be required. The applicant will be required to satisfy these requirements prior to issuance of a building permit for the commercial coach.

The proposed commercial coach will serve as a temporary accessory building to the existing residential care facility on the property. The proposed use is consistent with the General Plan and with the recommended conditions of approval attached to the staff report required, staff believes the required findings can be made. Staff therefore recommends approval of Planned Development Amendment #01-02, subject to the attached findings and conditions of approval.

**Recommended Findings**

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

- A. In accordance with the California Environmental Quality Act (CEQA) and Guidelines, this project is categorically exempt, pursuant to CEQA Guidelines, Section 15303, New Construction or Conversion of Small Structures.

- B. Planned Development Amendment #01-02 will not allow for a more intensive use of the property.
- C. Subject to conditions of approval, Planned Development Amendment #01-02 is consistent with the County's General Plan and Zoning Code.

**Recommended Action**

- A. Make the Findings for approval as recommended by staff.
- B. Approve Planned Development Amendment #01-02, subject to the following conditions:
  1. The proposed 20 foot by 40 foot (800 square feet) commercial coach is approved to be located as shown on the approved site plan. Approval and use of the commercial coach is granted for a maximum period of three years, or until a final occupancy is granted by the Building Division of the Sutter County Community Services Division for the previously approved 7,600 square foot addition, whichever occurs first. At that time, the commercial coach shall be removed from the subject property. (P)
  2. Skirting shall be provided along all sides of the commercial coach. Said skirting shall be compatible with the colors and materials of the commercial coach and shall be maintained at all times. (P)
  3. There shall be no storage of materials under the commercial coach. (P)
  4. Prior to installation of the commercial coach, the applicant shall obtain all necessary permits from the Community Services Department, Building Inspection Division. (B)
  5. Access to and egress from the commercial coach shall be provided as specified in Chapter 11 of the 1998 California Building Code. (B)
  6. The commercial coach shall be constructed and labeled for its proposed occupancy. (B)
  7. 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)
 

Ohleyer Road	25.5' R/W + 10' P.U.E.
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  8. An agreement shall be entered into with Sutter County. This agreement shall run with the land and shall be binding on all successors in interest and shall provide for the following:

Participation in a zone of benefit, drainage district, agency, service area, or any other public entity for the financing of construction and maintenance of a drainage system. In addition to the special assessment district or public entity referred to immediately above, the agreement between the developer/owner and Sutter County shall contemplate the imposition by Sutter County of any legally available fee, assessment, or other financing mechanism to facilitate the construction and maintenance of a drainage system. (PW)

9. 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)
10. 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)
11. 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)
12. Prior to issuance of a building permit, a drainage and grading plan must be approved by Sutter County Public Works Department. (PW)
13. Prior to issuance of a building permit, final approval must be obtained on the on-site sewage system permitted on July 27, 2000 for the expansion of the facility. For the Environmental Health Division to issue final approval, the following items must be submitted to our office: (EH)
  - A. A certification from Von Geldern Engineering stating that the installation of the system was consistent with their design and in compliance with Sutter County on-site sewage regulations; and
  - B. An as-built drawing detailing any changes made from the approved design in regard to location or installed components.
14. All wastewater shall be disposed into the approved on-site sewage systems. (EH)
15. The permitted use must be consistent with the design flow and waste strength established for the on-site sewage systems. Any change of use or failure to comply with the terms of approval will result in the revocation of said permitted use. (EH)
16. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal systems is prohibited. (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. Water supply shall be from the Yuba City Utilities Department and comply with all Sutter County Environmental Health requirements for the use intended. (EH)
19. The commercial coach shall comply with the applicable provisions of the California Building Code and California Fire Code, as amended and adopted by the County of Sutter and enforced by the Yuba City Fire Department. (YCFD)
20. All conditions of previously approved Planned Development Amendment #00-01 shall remain in full force and effect. (P)
21. If the use is abandoned or discontinued for a period of six (6) months or more, the use shall expire and become null and void. A request for reinstatement of the abandoned or discontinued use or request for a new development plan may be made in accordance with Section 1500-6336 of the Sutter County Zoning Code. (P)

Sincerely,

THOMAS A. LAST  
PLANNING DIVISION CHIEF

Steve Geiger  
Associate Planner

Attachments: Exhibit A - Study Sketch  
Exhibit B - Site Plan  
Exhibit C - Site Plan for previously approved PD Amendment #00-01  
Exhibit D - Photo showing proposed location of commercial coach  
Exhibit E - Conditions of approval for PD Amendment #00-01 (Approved May 9, 2000)  
Exhibit F - Board of Supervisors staff report packet for previous PD Amendment #00-01

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