

March 27, 2002

To: Sutter County Planning Commission

Re: Agenda Item #7: Public hearing on Use Permit #02-03 to allow a 24' by 40' modular office for use as classrooms for an existing church; R-1 (One-Family Residence) District; located at 1460 Richland Road, Yuba City, A. P. #20-054-026); applicant- Dave Calderaro/property owner - Seventh Day Adventists, et al (Location: District 4 - Commissioner Bajwa).

Current Proposal

A. Project Description:

The applicant requests approval of a use permit application to allow a 24' by 40' (960 square foot) modular office building for use as classrooms for an existing church.

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 2.5 acres in size and is developed with a church sanctuary and related buildings totaling 25,244 square feet.

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

	Use	Zoning	General Plan
Subject Property	Church	R-1	LDR
North	Tennis club, residential	R-1	LDR
East	Agricultural (orchard)	R-1-A	LDR
South	Agricultural (orchard)	R-1-A	LDR
West	Residential	Yuba City	Yuba City

C. Previous Commission Actions/Policies:

Zoning Code Section 1500-2212 requires a use permit for churches within the R-1 zone district. There is no record of a use permit for the existing church as it was constructed prior to the current use permit requirement. This use permit will address both the proposed modular office building as well as recognize the existing church to comply with current Zoning Code requirements. The Zoning Code does not require design review for proposed buildings within residential zone districts.

Staff Comments

A. Building Division (B):

See Conditions 4-6.

B. Public Works Department (PW):

See Conditions 7-11.

C. Environmental Health (EH):

See Condition 12.

D. Yuba City Fire Department (YCFD):

See Condition 13.

E. Planning (P):

The applicant is requesting approval to install a 24' by 40' (960 square foot) modular building on the property to provide additional classroom area for the church. According to the applicant, the building will be divided into two classrooms for children in grades 4-8. The modular building is proposed to be located behind the church youth chapel, within the existing paved parking lot area, 15 feet from the east property line (see site plan - Exhibit B). The R-1 zone district requires that churches have a minimum 15 foot setback from a side property line when the adjoining lot contains or could potentially contain a single-family residence.

For churches, Sutter County Zoning Code parking standards require that one parking space be provided for each four seats within the primary sanctuary, or assembly area. According to the applicant, the church sanctuary contains 392 seats (bench seating), which requires that 98 parking spaces be provided to meet this requirement. During a site inspection made by staff, a total of 90 existing paved and marked spaces were counted on the property. Staff would note that the site plan submitted does not accurately depict the existing parking space configuration on-site and that based on the proposed location of the modular within the parking lot, staff estimates that 2-4 existing parking spaces may be lost when the modular is installed.

Staff notes that additional unpaved “overflow” parking area is available adjacent to the south side of the parking lot that is currently used by the church. Based on the inspection and the site plan provided, staff estimates that this area provides for 30-40 parking spaces in addition to the 90 paved spaces. The applicant has stated that classes held in the modular building will not correspond to times when the main sanctuary is being used for services. Based on this information and the intended use of the building as children’s classrooms, staff does not expect the proposed building to generate additional traffic or result in an increase in parking demand. Staff therefore believes the existing parking provided on-site is adequate to serve the church use.

Staff is recommending a condition requiring the modular building be painted a color similar to that of the existing buildings on the property and that it be skirted on all sides. The skirting will be required to be compatible with the colors and materials of the building and required to be maintained at all times.

The Environmental Health Division has reviewed the project and commented that City sewer is available directly in front of the subject property and that in the event that the existing septic system fails, connection to City sewer will be required. This has been included as a recommended condition of approval.

The subject property is designated Low Density Residential (LDR) by the Sutter County General Plan. This designation provides primarily for detached single-family dwellings as well as residential accessory uses such as churches, schools, parks, and child care facilities. The proposed modular building will provide accessory classroom space to the existing church on the property and is consistent with the church use. Staff believes the proposal is consistent with the General Plan. Staff therefore recommends approval of Use Permit #02-03, 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. The proposed project is consistent with the existing church use on the property and the policies and goals of the Sutter County General Plan.
- C. Since conditions have been included to reduce potential impacts on the surrounding properties, the establishment, maintenance, and operation of the use will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Recommended Action

- A. Make the Findings for approval as recommended by staff.
- B. Approve Use Permit #02-03, subject to the following conditions:
 - 1. The proposed 24 foot by 40 foot (960 square feet) modular building for accessory classroom space is approved to be located as shown on the approved site plan. (P)
 - 2. The proposed modular building shall be painted a color similar to that of the existing buildings on the property and shall be skirted on all sides. Said skirting shall be compatible with the colors and materials of the modular and shall be maintained at all times. (P)
 - 3. There shall be no storage of materials under the modular building. (P)
 - 4. Prior to installation of the modular building, the applicant shall obtain all necessary permits from the Community Services Department, Building Inspection Division. (B)
 - 5. Accessibility standards as required by the Uniform Building Code, Chapter 11, shall be addressed. (B)
 - 6. The modular building is to be labeled by the State of California for an Occupancy Group E-2. (B)
 - 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. 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. Construct new driveway(s) to current County standards. (PW)
 - 9. Proposed building and equipment 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)

10. 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)

Richland Road 30.0' R/W + 10' P.U.E.
11. A deferred improvement agreement, secured by a bond or other security approved by the Director of Public Works shall be entered into with Sutter County. This agreement shall run with the land and shall be binding on all successors in interest. The agreement shall provide for the following: street paving, curbs, gutters and sidewalks. (PW)
12. City sewer is available directly in front of the subject property. In the event that the existing septic system fails, connection to City sewer will be required. (EH)
13. The modular building shall comply with all applicable fire code requirements, as adopted by the County of Sutter and enforced by the Yuba City Fire Department. (YCFD)
14. The use permit shall be activated within one year of the approval date, unless an extension is filed and granted in accordance with 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 - Photos of church and parking lot
Exhibit D - Letter from applicant re seating in sanctuary and proposed use of modular building

D:\planning commission\reports\up 02-03 (calderaro)