



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING DECEMBER 15, 2004
Agenda Item #8

Project # 04-044

Request: Use permit to allow a temporary mobile home as a family caretaker unit on a 0.93-acre parcel. Assessor's Parcel No.17-020-023

Location: 3580 Butte House Road

Planner: Leanne Mueller, Associate Planner

Zoning Code Designation: AG (General Agricultural) District

General Plan Designation: Agriculture, 20-acre minimum parcel size

Applicant/Owner: Francis and Florence Beissel

Staff Recommendation

Staff recommends approval of the use permit request for a temporary mobile home to be used as a family caretaker unit on property zoned AG (General Agricultural) District subject to the findings and Conditions of Approval included in this staff report.

Project Description

A request for a use permit to allow for a 780 square foot temporary secondary mobile home to house a family member in need of living assistance on a 0.93-acre parcel.

Setting

The parcel currently contains an existing home, a shop building and a pool. The property is used in a residential manner.

The surrounding land uses, zoning designations, and General Plan designations are described in the table that follows:

	Land Use	Zoning Designation	General Plan Designation
Site	Residence and accessory buildings	AG (General Agricultural) District	AG-20
North	Residence and orchard	AG (General Agricultural) District	AG-20
South	Shop and orchard	AG (General Agricultural) District	AG-20
East	Residence and orchard	AG (General Agricultural) District	AG-20
West	Residence and orchard	AG (General Agricultural) District	AG-20

Previous Actions

Minor Land Division 191 to create the existing parcel was approved in May of 1971.

Analysis

The subject property is a 0.93-acre parcel that contains a residence, garage and pool. The property is located on the south side of Butte House Road, approximately 2,000 feet east of Township Road. The applicant indicates that the temporary mobile home will be used by a family member in need of living assistance. The applicant provided medical documentation verifying the need for the caretaker mobile home. The temporary caretaker mobile home will be located approximately 55 feet west of the existing residence and approximately 90 feet from Butte House Road. The mobile home will utilize the existing driveway that accesses Butte House Road. The Zoning Code conditionally permits a temporary secondary mobile home to be placed on a property zoned AG district with an approved use permit. The use permit is valid for a period of five years and may be extended if the need still exists. The Conditions of Approval will ensure that the temporary mobile home complies with all development standards.

Environmental Analysis

In accordance with the California Environmental Quality Act and the Guidelines, this project is Categorically Exempt, pursuant to CEQA Guidelines Section (15303) which allows exemptions for new construction of dwelling units.

Summary

Staff recommends approval of the use permit for a temporary mobile home for a family member in need of living assistance. The proposed project is consistent with the provisions of the General Plan and Zoning Code and the project may be evaluated in five years.

Recommended Findings

Based upon information contained in this staff report and/or testimony received at the public hearing, staff recommends the following findings:

CEQA

In accordance with the California Environmental Quality Act and the Guidelines, this project is Categorical Exempt, pursuant to CEQA Guidelines Section 15303, which exempts new construction of dwelling units.

General Plan

The project is consistent with the General Plan (Policy 2.14) and Zoning Code Section 1500-8012 provides for temporary caretaker mobile homes in the Agricultural Districts.

Use Permit

Approval of the use permit, subject to the recommended conditions, will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

Recommended Action

Should the Planning Commission agree with staff's recommendation, the following motions would be appropriate:

1. "I move that the Planning Commission find the proposed project exempt from the California Environmental Quality Act Section 15303, Class 3.
2. I move that the Planning Commission approve Use Permit #04-044 to allow for a temporary family caregiver unit on Assessor's Parcel No. 17-020-023, subject to the recommended findings and conditions contained in this staff report."

Attachments

- A. Study Sketch
- B. Site Plan

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Conditions of Approval
Project #04-044 - Francis & Florence Beissel

Use Permit to allow for a mobile home for a family caregiver unit on a 0.92-acre parcel

1. The property shall be developed in substantial accord with the submitted site plan dated November 4, 2004, and the agenda report, except as may be amended by the conditions below. (P)
2. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)
3. The mobile home shall be placed upon a non-permanent conventional mobile home foundation system. (P)
4. If at such time the use for which the permit is approved ceases, the mobile home shall be removed from the property within six months. (P)
5. The use permit shall be valid for a term period of five years subject to extension. (P)
6. Skirting shall be provided along all sides of the mobile home. There shall be no storage of materials under the mobile home except for appurtenances removed from the mobile home and permitted to be stored under the mobile home in accordance with the laws of the State of California. (P)
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. 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)

Butte House Road	42.0' R/W + 10.0' P.U.E.
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11. A new sewage disposal system permit shall be obtained from the Environmental Health Division. (EH)