

April 30, 2003

To: Sutter County Planning Commission

Re: Agenda Item #7: Public hearing on Use Permit #03-06 for a mobile home as a temporary, secondary residence for a family member in need of living assistance; AG (General Agricultural); located at 7521 Natomas Road, Elverta; A. P. #35-271-014; applicants - Shawn & Brandi Burnsed/property owner - George Burnsed (Location: District 5 - Commissioner Shannon)

Current Proposal

A. Project Description:

The applicants request use permit approval to allow a mobile home as a temporary, secondary residence for a family member. The property owners have stated that George Burnsed requires living assistance so his son's family proposes to live on the property to provide onsite care. The new residence will be served by an on-site septic system and well. Access is provided by Natomas Road through an existing driveway.

B. Environmental Consideration:

The proposed use is categorically exempt under Section 15303 of the California Environmental Quality Act Guidelines as new construction of a small structure on an existing property.

Background

A. Property Description:

The subject property is a 3 acre parcel located on the west side of Natomas Road, west of Ruffley Avenue and approximately 1 mile south of Sankey Road. The property contains an existing residence occupied by the property owner and a pole barn.

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

	Use	Zoning	General Plan
Subject Property	Single family residential	AG	Industrial/Commercial Reserve
North	Agricultural, residential and a permitted dog kennel	AG and SSCI	Industrial/Commercial Reserve
East	Agricultural and residential	AG	Industrial/Commercial Reserve
South	Agricultural and residential	AG	Industrial/Commercial Reserve
West	Sacramento River	SSCI	Industrial/Commercial Reserve

C. Previous Commission Actions and/or Policies:

The Zoning Code allows a temporary, secondary mobile home for use as a residence in the AG District with the approval of a use permit when the occupant is a family member in need of living assistance. Your Commission appears to have approved all such prior use permits when a letter from a doctor citing specific medical conditions has demonstrated a need.

Staff Comments

A. Public Works Department (PW):

See Conditions 7 and 8.

B. Environmental Health Program (EH):

See Conditions 11-18.

C. Pacific Gas and Electrical Company (PG&E):

See Condition 9.

D. Planning (P):

The Zoning Code allows a temporary, secondary mobile home for use as a caretaker residence in the AG District with the approval of a use permit. Your Commission has generally approved use permits for family members in need of living assistance when an existing need has been demonstrated. Section 1500-8012 of

the Zoning Code requires specific standards for such residences. Staff has received a letter from the property owner's mother's doctor citing a medical condition and noting that the owner's mother would benefit from residing at a location where living assistance could be provided. Therefore, the proposed use is permitted by the Zoning Code and is consistent with the policies of the General Plan.

Recommended Findings

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

- A. The project is categorically exempt under Section 15303 of the California Environmental Quality Act Guidelines as new construction of a small structure on an existing property.
- B. The proposed use is consistent with the Sutter County Zoning Code and the policies of the Sutter County General Plan.
- C. Under the application as submitted and the conditions of approval, the approval of the use permit will not be detrimental to the public's health, safety, or general welfare, or be detrimental to public or private improvements in the area.
- D. Improvements required as conditions of approval are consistent with the property's use for two residences in order to provide an adequate level of services providing for the public's health, safety and general welfare and/or in order to conform to regulations of the Sutter County Ordinance Code.

Recommended Action

- A. Adopt the findings as recommended by staff.
- B. Approve Use Permit 02-27 subject to the following conditions of approval:

On-Going

- 1. The property shall be developed in substantial accord with the submitted site plan and the agenda report, except as may be amended by the conditions below. (P)
- 2. The use permit shall be approved with a five-year term period, subject to extension. (P)
- 3. The site shall be maintained in a neat and orderly fashion, free of debris, salvage materials, and equipment. (P)

4. The mobile home shall be placed upon a non-permanent foundation support system. (P)
5. If the use for which this permit is approved ceases, the mobile home shall be removed from the property within six months of the cessation of use. (P)
6. The mobile home shall be occupied by Shawn and Brandi Burnsed for the purposes of caring for George Burnsed who owns the property. The mobile home shall not be rented. (P)
7. Any work performed within the Sutter County right-of-way shall require an encroachment permit from the Department of Public Works prior to the beginning of work. (PW)
8. Building and equipment pads shall be located at elevations in conformance with Section 1300-022(F) of the Sutter County Ordinance Code for flood prevention purposes, as defined by Resolution No. 92-124. (PW)
9. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense. There shall be no building of structures allowed under or over any of our facilities or inside any PG&E easements that exist within the subject project. (PG&E)
10. The applicant shall obtain all necessary permits from the Community Services Department (Building Inspection, Fire and Emergency Services, and Environmental Health Divisions) and Public Works Department for the intended use. (P)
11. All wastewater shall be disposed into the approved on-site sewage system. (EH)
12. The permitted use must be consistent with the design flow and waste strength established for the on-site sewage system. Any change of use or failure to comply with the terms of approval will result in the revocation of said permitted use. (EH)
13. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (EH)
14. All structures producing wastewater shall connect to the public sewer system when it is available, per the Uniform Plumbing Code (UPC). (EH)
15. Water supply shall be from the existing private well and comply with all Sutter County Environmental Health requirements for the use intended. (EH)
16. The septic tank serving the project shall be pumped by a registered septic tank pumper at a minimum frequency of at least once every five (5) years. A copy of the pump report must be submitted to Sutter County Environmental Health. (EH)

17. The discharge of fuels, oils, other petroleum products, detergents, cleaners, or chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. (EH)
18. All activities and use must comply with State and County laws and regulations pertaining to the handling and disposal of all hazardous or acutely hazardous materials. (EH)

Sincerely,
LISA PURVIS WILSON
INTERIM PLANNING DIVISION CHIEF

Douglas G. Libby, AICP
Associate Planner

Attachments: Exhibit A - Study Sketch
Exhibit B - Site Plan

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