



Planning Commission Staff Report

PLANNING COMMISSION HEARING NOVEMBER 19, 2003

Agenda Item #6

Request: A use permit and design review to construct a caretaker's residence in an M-2 (General Industrial) zone

Location: 2531 Paseo Avenue, Live Oak (northwest corner of Paseo Avenue and Larkin Road)

APN: 09-280-034

File: UP #03-09 and DR #03-05

Planner: Will Caplinger

Applicant	Property Owner
Jerry and Rachal Carrier 8018 Larkin Road Live Oak, CA 95953	Robert French 8018 Larkin Road Live Oak, CA 95953

Staff Recommendation

Recommend to the Board of Supervisors approval for a use permit and design review application to construct a caretaker's residence for a trucking operation in the M-2 (General Industrial) District.

Project Description

The project is a request for use permit and design review approval to construct a 1,587 square foot caretaker's residence, with an attached 520 square foot garage and two covered porches covering 435 square feet, to oversee the existing Jerry Carrier Trucking operation.

Setting

The project site is located at 2531 Paseo Avenue, Live Oak, 164 feet west of the northwest corner of Paseo Avenue and Larkin Road, and the lot size is 0.31 gross acres.

Currently, the project site contains a well house/storage shed and a septic system that served a mobile home that was removed from the property in 1977.

Adjacent land uses, zoning and General Plan designations for the surrounding properties are summarized below.

	Land Use	Zoning Designation	General Plan Designation
North	Industrial/Residential	M-1 (Light Industrial)	IND (Industrial)
South	Agriculture (orchard)	AG(General Agriculture)	AG-20
East	Industrial/Residential	M-1 (Light Industrial)	IND (Industrial)
West	Agriculture (vacant)	AG (General Agriculture)	AG-20

Background

The subject property was formerly agriculturally-zoned and developed with a mobile home under two subsequent use permits (UP #171 and UP #321). The mobile unit was removed in 1977, which rendered the use permit null and void. The property is located in the southwestern-most corner of the Sphere-of-Influence of the City of Live Oak, which, in 1979, applied a General Plan land-use designation of IND (Industrial) to the subject property. In 1983, Sutter County adopted the City of Live Oak General Plan Land-Use Diagram, but the property retained its agricultural zoning. In 1998, the Sutter County Board of Supervisors adopted the current M-2 zoning applied to the property.

Analysis

Use Permit

Project Specifics

The entitlement request is for the establishment of a caretaker residence to oversee an existing trucking business that operates from the subject property. The applicants currently share a residence on the adjoining M-1 parcel with their grandparents, who own both parcels. Although the application only proposes the new residential unit as a caretaker residence for the trucking operation on the M-2 parcel, the establishment of the new residence will facilitate the applicants' continued provision of care for their grandparents.

Surrounding Land Uses

An M-1-zoned parcel, containing mixed industrial uses and a residence, flanks the subject property on the north and east sides. Agricultural zoning is applied to the south and west sides. The parcel to the south is developed with a walnut orchard and the parcel to the east is undeveloped.

Design Review

Construction

The proposed 1,587 square-foot three-bedroom caretaker residence will be of conventional stick-built, slab-on-grade construction, with the front entrance facing south. Color swatches submitted with the design review application indicate that the body of the house will be silver-gray with off-white trim and dark gray accents. The

residence will be served by the existing domestic water well and on-site sewage disposal system.

Circulation

The only access for the project will be a driveway connected to Paseo Avenue. The applicant has stated that a daily maximum of two (2) truck-tractor trips and four (4) residential-vehicle trips will result from the project, although staff anticipates that the residential trips may average closer to ten (10) trips (based on the Institute of Transportation Engineers, 1987, Trip Generation [4th Edition]). The total number of vehicle trips is not anticipated to significantly impact circulation or traffic volume on either Paseo Avenue or Larkin Roads.

Landscaping & Fencing

The Sutter County Zoning Code does not require landscaping or fencing improvements for projects within the Live Oak Sphere-of-Influence. However, the south and west sides of the property are screened from view by a dense hedgerow of mature poplar trees underplanted with grape vines, and the applicant has stated that the existing screening vegetation will be retained.

Lighting & Signage

Exterior lighting proposed is typical to residential structures and will be limited to incandescent fixtures at entryways and under covered porches, and may include lighting designed for temporary emergency use. No signage is proposed.

Public Comment

Public comment consists of one letter of support for the project from a resident on Paseo Avenue.

Approval Process

Sutter County Zoning Code Section 1500-4912 allows a caretaker residence in the M-2 zone with a use permit, but Section 1500-8512 requires that development projects within industrial zones be subject to design review. Section 1500-8512(b)(2) requires that when a design review project requires a use permit, the Planning Commission will act in an advisory capacity to the Board of Supervisors, who will make the final determination.

Environmental Analysis

The project is exempt from further review in accordance with the California Environmental Quality Act (CEQA) under Section: 15303 [New Construction or Conversion of Small Structures] (a)[One single-family residence], determining that the project will not have a significant effect on the environment.

Summary

The proposed use permit and design review to construct a caretaker residence in an M-2 zone are compatible with both the industrial and agricultural development in the surrounding area. The project complies with all applicable development standards of the Zoning Code.

CEQA Findings

Finding: The project is exempt from further environmental review as provided in the California Environmental Quality Act.

Evidence: The California Environmental Quality Act Sections: 15303 [New Construction or Conversion of Small Structures].

Use Permit Recommended Finding

Finding: The establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Additionally, the use or activity approved by the use permit is consistent with the General Plan. (Zoning Code §1500-8216 A & B)

Evidence: The proposed project will be consistent with the County's Zoning Code and General Plan. Furthermore, staff has identified no effects from the proposal that would result in a significant detrimental impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.

Design Review Recommended Finding

Finding: Approval of the design review, subject to the recommended conditions, will not be detrimental to the public's health, safety, or general welfare or be detrimental to public or private improvements in the area.

Evidence: The proposed design of the project, with the incorporation of the proposed conditions, is consistent with the Sutter County Design Guidelines.

Recommended Motion(s)

Should the Planning Commission agree with staff's recommendation, the following motions are recommended:

1. “The Planning Commission finds the project is exempt under CEQA Guidelines section 15303 [New Construction].”
2. “The Planning Commission recommends approval of Use Permit #03-09 and Design Review #03-05 to allow a caretaker residence in an M-2 zone, based on the recommended findings and conditions contained in the November 19, 2003 staff report.”

Attachments

Attachment A - Conditions of Approval

Attachment B - Study Sketch

Attachment C - Site Plan

Attachment D - Building Elevations

Attachment E - Comment Letter

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