



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING December 17, 2003
Agenda Item #5

Request: Use Permit approval for a caregiver manufactured home for a family member in need of living assistance.

Location: 8686 South Butte Road, Sutter

APN: 13-270-101

File: UP-03-14

Planner: Douglas G. Libby, AICP
Senior Planner

Applicants	Property Owners
Kevin & Lori Pommerenck 8686 South Butte Road Sutter, CA 95982	Kevin & Lori Pommerenck 8686 South Butte Road Sutter, CA 95982

Staff Recommendation

Staff recommends approval of the use permit for a temporary caregiver manufactured home in an agricultural zone with the conditions of approval as attached to the report.

Project Description

The applicants request use permit approval for a caregiver manufactured home in an AG (General Agricultural) zone to care for the mother of one of the property owners.

Setting

The project site is 20-acres in size and located southwest of the community of Sutter. The property is used for open pasture as well as being developed with an existing manufactured home and agricultural shop.

	Land Use	Zoning Designation	General Plan Designation
Site	Open pasture/ Residential	General Agriculture	Agriculture 20
North	Walnut Orchard and pasture	General Agriculture	Agriculture 20
South	Open field	General Industrial	Industrial
East	Residential and Agricultural	General Agriculture	Agriculture 20
West	Open field	General Industrial	Industrial

Previous Actions

None.

Analysis

Section 1500-8012 of the Zoning Code conditionally permits secondary manufactured homes in agricultural zoning districts for the care of family members in need of living assistance. Documentation is required to be provided by a licensed physician substantiating that a need exists for such on-site care. The applicants submitted a letter from Dr. Rajesh Soni stating that due to various health ailments, Mrs. Pommerenck requires help with her daily activities and needs to live close to family.

Comments were received from the following agencies in response to this proposal and have been reflected as proposed conditions of approval:

Pacific Gas and Electric
 Sutter County Public Works Department
 Sutter County Fire Services Division
 Sutter County Environmental Health Division

There were no comments provided indicating that the proposal should not be approved.

Environmental Analysis

In accordance with the California Environmental Quality Act (CEQA) and the Guidelines, this project is Categorically Exempt, pursuant to CEQA Guidelines Section 15303(a) which exempts the construction of single family residences. The proposed secondary manufactured home meets the criteria for exemption.

Findings

CEQA

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

1. The project is Categorically Exempt from environmental review pursuant to Section 15303(a) of the CEQA Guidelines.

USE PERMIT

1. The proposed use is consistent with the Sutter County Zoning Code and the policies of the Sutter County General Plan.
2. The temporary secondary manufactured home in an agricultural zone along with the conditions of approval will not be detrimental to the public's health, safety, or general welfare, or be detrimental or injurious to property and improvements in the area or to the general welfare of the County.
3. 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

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

“The Planning Commission approve placement of a secondary temporary manufactured home to be used as a caregiver unit for a family member.”

Attachments

- A. Study Sketch
- B. Site Plan
- C. Letter from Dr. Rajesh Soni

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Conditions of Approval
Use Permit No. 03-14
Kevin and Lori Pommerenck, 8686 South Butte Road

Use Permit No. 03-14 is for a temporary caregiver manufactured home in an agricultural zone.

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 manufactured home shall be placed upon a non-permanent foundation support system. (P)
5. If the use for which this permit is issued ceases, the manufactured home shall be removed from the property within six months of the cessation of use. (P)
6. The manufactured home shall be occupied by Marlene Binninger. 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. There shall be no grading or alteration of the existing terrain that would direct additional waters to the County Road unless such work is first approved by the Public Works Department. (PW)
10. 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)

11. 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)
12. All wastewater shall be disposed into the approved on-site sewage system. (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. 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)
16. 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)