

**EL DORADO COUNTY DEVELOPMENT SERVICES  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** May 10, 2007  
**Item No.:** 11  
**Staff:** Tom Dougherty

**ZONE CHANGE/SPECIAL USE PERMIT**

**FILE NUMBER:** Z06-0031 and S88-0016R

**APPLICANT/OWNER:** Anton Schuh of Sierra Pines Mobile Home Manor

**REQUEST:** The proposal consists of the following:

- 1) Rezone of the property from Estate Residential Five-acre (RE-5) to Mobile Home Park (MP) District; and
- 2) Revision to approved special use permit allowing installation and use of an additional manufactured home and two-car detached garage.

**LOCATION:** West side of State Route 193, approximately 0.25 mile north of the intersection with Bayne Road, in the Kelsey Area, Supervisorial District 4 (Exhibit A).

**APN:** 088-290-17

**ACREAGE:** 16.51 acres

**GENERAL PLAN:** High Density Residential (HDR) (Exhibit B)

**ZONING:** Estate Residential Five-Acre (RE-5) (Exhibit C)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**SUMMARY RECOMMENDATION:** Conditional Approval

**STAFF ANALYSIS**

## **BACKGROUND**

Sierra Pines Mobile Homes Manor is a senior only (age 55 and above) mobile home park originally established in 1968 under Special Use Permit S67-0015. The facility consisted of a lodge with a restaurant, rental units, and a 13-space mobile home park. The applicant acquired the property in 1981 and completed construction of the project as approved.

In November 1989, under application S88-0016, the applicant received approval for the installation and occupancy of an additional 13 mobile home spaces, a mobile home for residential care facility accommodating a maximum of six people, a four-plex apartment building, and construction of a chapel. The residential care facility and the chapel were never constructed. The mobile home originally intended to be the residential care facility is where the owner/applicant lives. Though zoned Estate Residential Five-Acre (RE-5) and given the type of residential density, the expansion of the mobile home park was deemed consistent with the Kelsey Area Plan, adopted May 15, 1980, and approved as a legal non-conforming use under Section 17.20.040 of the El Dorado Zoning Code with the issuance of a special use permit. The approval superseded the provisions entitled under S67-0015. The park is licensed with the California Department of Housing and Community Development (HCD) under Mobile Home Park I.D. Number 09-0111-MP. The applicant/owner renews this permit yearly, and HCD inspects the site every five years.

In November 1993, the applicant received approval for the installation and use of an additional mobile home. Instead of processing this permit through discretionary review, staff made findings of substantial conformance to the conditions of approval under S88-0016 and approved the project administratively.

Each mobile home has a small storage shed and some have garages or carports. There is a storage area approved for seven spaces by the previous special use permit approval that the residents use to store campers and trailers, but camping and/or residential uses are not allowed. In addition to being licensed by the State HCD, the Sierra Pines Mobile Manor has a five page document that further establishes the rules and regulations the renters must follow (Exhibit G1 and G2, reduced to two pages). The mobile home park is served by five community septic systems and three domestic water wells.

## **Project Description**

The applicant is requesting rezone of the property from Estate Residential Five-acre (RE-5) to Mobile Home Park (MP) and a revision to the special use permit allowing the installation and use of a double wide 24-foot by 60-foot manufactured residence and two-car detached garage proposed to measure approximately 24 feet by 24 feet. The proposed new residence will be served by Georgetown Divide Recreation District GDPUD treated water and on-site septic system.

The proposed buildings will be constructed on an existing concrete pad area and conforms to the current required front (30 feet), side (30 feet), and rear (30 feet) yard setbacks to the property line for the RE-5 Zone District and the front (15 feet), side (5 feet) and rear (5 feet) setbacks

required by the proposed Mobile Home Zone District. The structures, house, and garage are proposed to be 10 feet apart and located 60 feet from the intermittent drainage pond to the south.

Given the existing vegetation and its proximity to State Route 193, the proposed structures will not be readily visible and should not pose any new visual impacts. The applicant has stated he would like the references to the residential care home and chapel from the previous special use permit review removed.

**Site Description**

Located on 16.5 acre property in Kelsey area, Sierra Pines Mobile Manor is developed with 27 manufactured units and one four-plex unit. The site contains rolling terrain (ranging from 10 percent to 30 percent slope) with drainage towards three seasonal ponds that transverse the parcel from northwest to southeast. The soil composition consists of Mariposa (MbE) series characterized by very rocky silt loam within the range of 3 to 50 percent slope, moderate permeability, and suitable for woodland use. The native vegetation to the site consists of scattered ponderosa pines (*Pinus ponderosa*), foothill pines (*Pinus sabiniana*), black oaks (*Quercus kelloggii*), interior live oak (*Quercus wislizenii*), annual grasses, in addition to the non-native landscaping trees and shrubs that have been installed and maintained over the years. The site is served by an internal driveways and Mobile Manor Road which has direct access off State Route 193. There are two parcels to the northwest that have non-exclusive easements to drive through the Park along Mobile Manor Road to their parcels.

**Adjacent Land Uses:**

	<b>Zoning</b>	<b>General Plan</b>	<b>Land Use/Improvements</b>
<b>Site</b>	RE-5	HDR	Mobile Home Park (Sierra Pines Mobile Manor)
<b>North</b>	RE-5	MDR	Residential
<b>South</b>	RE-5	MDR	Residential
<b>East</b>	RE-10	RR	Residential
<b>West</b>	RE-10	RR	Vacant Land

The project site is surrounded by properties with residential zoning and General Plan designations. This project shall remain compatible with the surrounding existing and potential land use capabilities.

**General Plan:** The General Plan designates the subject site as High Density Residential (HDR) which allows a density range between 1 to 5 dwelling units/acre. The resulting density for the mobile home park is 1.9 dwelling units/acre conforming to the allowed density. Additionally, the following General Plan policy also applies to this project:

**Policy 2.1.2.1** establishes Kelsey as a Rural Center. The subject 16.5-acre parcel is located within the Kelsey Rural Center boundary, and **Policy 2.1.2.3** directs that Rural Centers are intended to meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, and that the predominant land use type within Rural Centers shall be commercial and higher density residential development. **Policy 2.2.1.2** establishes the High Density Residential (HDR) land use designation. This designation identifies those areas suitable for intensive single-family residential development at densities from one to five dwelling units per acre. The addition of the new mobile home will bring the density to 1.94 units per acre because the total of units will be 32 located on 16.5 acres of land within the parcel.

**Policy 2.2.5.2** directs that applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. The subject application includes a zone change request to Mobile Home Park (MH) on the 16.5-acre parcel. The establishment of a new zone designation and the ensuing uses it allows is consistent with the allowed uses intended by the High Density Residential (HDR) land use designation.

**Policy 2.2.5.3** directs that the County shall evaluate future rezoning: (1) To be based on the General Plan's general direction as to minimum parcel size or maximum allowable density; and (2) To assess whether changes in conditions would support a higher density or intensity zoning district. The specific criteria to be considered include, but are not limited to, the following:

1. Availability of an adequate public water source or an approved Capital Improvement Project to increase service for existing land use demands;
2. Availability and capacity of public treated water system;
3. Availability and capacity of public waste water treatment system;
4. Distance to and capacity of the serving elementary and high school;
5. Response time from the nearest fire station handling structure fires;
6. Distance to nearest Community Region or Rural Center;
7. Erosion hazard;
8. Septic and leach field capability;
9. Groundwater capability to support wells;
10. Critical flora and fauna habitat areas;
11. Important timber production areas;
12. Important agricultural areas;
13. Important mineral resource areas;
14. Capacity of the transportation system serving the area;
15. Existing land use patterns;
16. Proximity to perennial water course;
17. Important historical/archeological sites;
18. Seismic hazards and present active faults; and
19. Consistency with existing Conditions, Covenants, and Restrictions.

The surrounding parcels are also designated for residential uses by the General Plan. The parcel fronts a State highway. Power and telephone exists at the site, there are existing paved interior roads, encroachment onto State Route 193; and there are five existing septic systems and three wells used primarily for irrigation. Georgetown Divide Public Utility District (GDPUD) staff has stated in a letter dated June 26, 2006, that the existing domestic water meter has adequate capacity to meet the additional demand of the addition of one mobile home. There is potential for pedestrian traffic within the parcel with shared grassy areas and an orchard.

The addition of one mobile home with a detached garage on an existing asphalt pad, as well as the approval of the Mobile Home Park zone change and the ensuing uses that it allows, will not have a significant affect on the existing biological resources within the existing mobile home park, because no grading or tree removal is proposed to occur as a direct result of the approval of these applications.

The El Dorado County Environmental Health Division, El Dorado County Department of Transportation, nor the Garden Valley Fire Protection District had any concerns with the subject proposal. The location in a Rural Center, the current availability of supporting utilities and infrastructure, the easy access for emergency responders, and the potential for other surrounding commercial opportunities indicate that the site is appropriate for high density development. The Sierra Pines Mobile Manor has existing Conditions, Covenants, and Restrictions (Exhibits G1 and G2), and the proposals are consistent with the CC&Rs.

**Policy 7.3.3.4** encourages the incorporation of protected areas into conservation easements or natural resource protection areas and thus directs that a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. The intermittent stream and five related drainage, catch basin ponds running northwest to southeast through the parcel are outside the 50-foot setback the new mobile home and garage are required to comply with. Any potential new mobile homes would also be required to stay out of this setback.

**Policy HO-4a** directs that development of affordable housing for seniors, including congregate care facilities, shall be encouraged. The mobile home park is operating “for seniors only” which currently houses 27 single family mobile homes and four duplex apartments.

**Conclusion:** The project has been reviewed in accordance with the El Dorado County 2004 General Plan policies, and it has been determined that the project is consistent with the General Plan. Findings of consistency with the General Plan are provided in Attachment 2.

**Zoning:** Table 2.4 of the 2004 General Plan shows that the existing zone district of Estate Residential Five-acre is incompatible with the High-Density (HDR) General Plan land use designation. The rezone to Mobile Home Park (MP) would more aptly allow the application of Section 17.40 of the Zoning Ordinance and would make the zone district compatible. The rezone more accurately reflects the existing use of the site. This zone requires a special use permit for any new or expanded mobile home park so there is no intensification of land use or density without subsequent public hearings and environmental review.

**ENVIRONMENTAL REVIEW**

Staff has prepared an Initial Study (Environmental Checklist with Discussion attached) to determine if the project has a significant effect on the environment. Based on the Initial Study, staff has determined that there is no substantial evidence that the proposed project will have a significant effect on the environment, and a Negative Declaration has been prepared.

**RECOMMENDATION**

Staff recommends the Planning Commission forward a recommendation to the Board of Supervisors to:

1. Adopt the negative declaration based on the Initial Study prepared by staff;
2. Approve Z06-0031 based on the findings in Attachment 2; and
3. Approve the revision to S88-0016R to permit the addition of one mobile home with one detached garage subject to the Conditions of Approval in Attachment 1, based on the Findings in Attachment 2.

**SUPPORT INFORMATION**

**Attachments to Staff Report:**

Attachment 1 .....Conditions of Approval  
Attachment 2 .....Findings

Exhibit A .....Vicinity Map  
Exhibit B .....Assessors Map  
Exhibit C .....General Plan Land Use Map Zoning Map  
Exhibit D .....Zoning Map  
Exhibit E .....Kelsey Rural Center Boundary Map  
Exhibit F .....Site Plan labeled Sheet 1 of 1, with a received stamp dated March 8, 2007  
Exhibit G1 and G2 .....Rules and Regulations/CC&Rs for Sierra Mobile Manor  
Exhibit H .....Copy of State of California, Department of Housing and Community Development, Division of Codes and Standards Permit  
Exhibit I .....General Plan Definitions of Mobile Homes and related.  
Exhibit J1 to J4 .....Site visit photos from March 7, 2007  
Exhibit K1 and K2 .....Aerial photos  
Exhibit L .....Initial Study/Environmental checklist

# ATTACHMENT 1

## CONDITIONS OF APPROVAL

FILE NUMBER Z06-0031 and S88-0016R

### CONDITIONS OF APPROVAL

1. This rezone and special use permit revision are based upon and limited to compliance with the project description, the Planning Commission/Board of Supervisor hearing exhibits marked Exhibits A-H, approved May 10, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

A revision Special Use Permit S88-0016R to allow the installation and use of a double wide, 24-foot by 60-foot manufactured residence and two-car detached garage proposed to measure approximately 24 feet by 24 feet constructed on an existing concrete pad. The proposed new residence will be served by treated water supplied by Georgetown Divide Public Utility District (GDPUD) and on-site septic system. Access to the facility and residence is off Mobile Manor Road, which connects off State Route 193 on the south end of the property.

This sSpecial Use Permit S88-0016 authorizesd the expansion of the Sierra Pines Mobile Manor by the addition of 13 mobile home spaces, a chapel and one mobile home space to accommodate a maximum of six residential care persons. This special use permit supercedes the provisions and requirements of S67-15 and S67-15 becomes null and void with the issuance of this permit. Special Use Permit S88-0016R authorizes the addition of one mobile home and detached two-car garage to space number 28 as shown on Exhibit F. The totality of existing and new uses allowed by this permit is 26 28 mobile home spaces (including the owner/manager's) and one mobile home space to accommodate a maximum of six residential care persons four apartment units in one four-plex unit. and a chapel. No other new structures or uses are authorized by this permit.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All

plans (such as landscape and tree protection plans) must be submitted for review and approval and shall be implemented as approved by the County.

The use shall conform to the approved site plan except as modified in the condition stated herein. Any minor modifications to the approved site plan are subject to the approval of the County Planning Director, or if significant, the Planning Commission.

2. The applicant shall obtain all necessary permits from the State Department of Housing and Community Development and all other regulating agencies.
3. All subsequent development on this site shall conform to all provisions of Chapter 17.40 of the County Code.
4. A detailed landscaping plan, including improvements, shall be submitted to the Planning Division for review and approval prior to issuance of the special use permit.\*
5. The applicant shall secure all necessary permits/approval from the Environmental Health Division regarding sewage disposal and wells.\*
6. A detailed grading, drainage, and erosion control plan prepared by a registered civil engineer shall be submitted for review and comment to the County Department of Transportation.\*
7. The recreational vehicle and utility trailer storage area shall include a minimum of seven (7) parking spaces and shall be surfaced with a minimum of two (2) inches of asphalt concrete over four (4) inches of aggregate base.\*
8. All new utility lines shall be installed underground.
9. All new internal access roads shall be constructed consistent with County Standard 102(B) with a pavement width of 25 feet.\*
10. Internal roadway grades shall be a maximum of 15 % grade.\*
11. The encroachment onto the State Highway 193 shall be improved to current Caltrans' standards, and all necessary encroachment permits be obtained from the State.\*
12. The applicant shall install fire protection improvements as specified by the Garden Valley Fire Protection District.
13. Only one identification sign shall be permitted on the property not to exceed 80 square feet in sign area and a height of 15 feet above the ground. An additional directory sign shall be provided and maintained showing the location and house number of each mobile home unit. The design of all such signs is subject to Planning Division approval.\*



14. Existing trees six inches (6") DBH shall be retained whenever possible. The location of such existing trees shall be shown on the improvement or project plans, and the trees proposed to be removed where the ground is to be disturbed shall be identified. Trees to be retained within fifty (50) feet of areas of construction shall be fenced or flagged to insure that such trees are not damaged.
15. The applicant shall establish utility easements per the recommendation of PG&E and Pacific Bell. Final determination of said utility easements shall be made by the County Planning Director.\*
16. If blasting activities are to occur in conjunction with park improvements, the subdivider shall ensure that such blasting activities are conducted in compliance with State and local regulations.\*
17. If human remains are discovered at any time during the subdivision improvement phase, the County Coroner and Native American Heritage Commission shall be contacted per Section 7050.5 of Health and Safety Code and Section 5097.89 of the Public Resources Code, respectively. If archeological artifacts are discovered, the subdivider shall retain an archeologists to make recommendations for treatment of the artifacts. Treatment of Native American remains or archeological artifacts shall be responsibility of the subdivider and shall be subject to review and approval by the County Planning Director.
18. If burning activities are to occur during the construction of the subdivision improvements, the subdivider shall obtain the necessary burning permits from the California Department of Forestry and air pollution permits from the County prior to said burning activities.
19. Road names shall be submitted and approved by the Drafting Section of the Surveyor's Office.\*
20. The new five road intersection shown on the site plan shall be redesigned for safety purposes as recommended by the County Department of Transportation. The two dead-end access roads terminating at spaces 26 and 27 shall be connected to form a loop with curve radii meeting minimum County standards.\*
- ~~21. The design of the chapel is subject to the approval of the County Planning Division.~~
- ~~22. Use of the chapel is restricted to park residents and their guests.~~
21. All conditions marked by an asterisk are conditions imposed with the 1989 approval of S 88-0016 use permit and were previously satisfied.

# **ATTACHMENT 2 FINDINGS**

## **FILE NUMBER Z 06-0031 and S 88-0016 R**

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the following findings can be made:

### **1.0 CEQA Findings**

- 1.1 El Dorado County has considered the Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services-Planning Services at 2850 Fairlane Court, Placerville, CA.
- 1.3 A de minimus finding on the project's effect on fish and wildlife resources cannot be found. In accordance with State Legislation (California Fish and Game Code Section 711.4), the project is subject to a fee of \$1,500.00 after approval, but prior to the County filing the Notice of Determination for the project. This fee, less \$50.00 processing fee, is forwarded to the State Department of Fish and Game and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

### **2.0 General Plan Findings**

- 2.1 As proposed, the project is consistent with the High-Density (HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2 because HDR allows a density range between 1-5 dwelling units/acre. The resulting density for the mobile home park is 1.9 dwelling units/acre conforming to the allowed density.
- 2.2 The proposal is consistent with the intent of General Plan Policies 2.1.2.3, 2.2.1.2, 2.2.5.2, 2.2.5.3, 7.3.3.4, and HO-4a concerning uses appropriate to be located in a rural center, and the issues required to be looked at for zone changes. Because the project's provisions of adequate access, site design, existing supporting infrastructure, and density fit within the context of the surrounding uses, there is an appropriate setback from wetlands, and the project provides affordable housing for senior citizens, it is consistent with the General Plan policies identified above.

### **3.0 Zoning Findings**

- 3.1 The project and the existing structures, infrastructure, and uses are consistent with the El Dorado County Zoning Ordinance designation of Mobile Home Park (MP) and sections 17.40.010 to 17.40.210.

3.2 The project, as proposed and conditioned, and along with the zone change to Mobile Home Park (MP), is consistent with the El Dorado County Zoning Ordinance Development Standards because the addition of one mobile home and associated detached garage development conforms to the standards of Section 17.40.

#### **4.0 ADMINISTRATIVE FINDINGS**

#### **4.0 Special Use Permit Findings**

4.1 **The issuance of the permit is consistent with the General Plan.** The proposal has been determined to be consistent with the High Density Residential(HDR) land use designation of the subject site as defined by General Plan Policy 2.2.1.2. All project-related environmental issues have been evaluated. Therefore, staff finds that the project, as conditioned, conforms to the General Plan.

3.2 **The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.** The use will not conflict with the adjacent uses as it is the same use in an established mobile home park. After review of the submitted site plan and upon consultations with concerned agencies, it has been determined that the impacts of allowing the addition of one mobile home and associated detached garage on an existing pad will not have a detrimental affect nor be injurious to the neighborhood.

3.3 **The proposed use was previously permitted by special use permit pursuant to County Code Section 17.28.200** which was used to approve S88-0016, so the approval of one more mobile home and associated detached is in conformance with the original special use permit approval.