



**COUNTY OF PLACER**  
**Community Development Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**

E.J. Ivaldi, Deputy Director

**HEARING DATE:** August 20, 2015  
**TIME:** 9:10 AM

**TO:** Zoning Administrator

**FROM:** Development Review Committee

**DATE:** August 20, 2015

**SUBJECT:** PLN15-00245 Peterson Minor Use Permit

**ZONING:** RA-B-X-DR 10 Acre Minimum (Residential Agriculture, with a Combined Development Reserve and a Combined Building Site Minimum of 10 Acres)

**STAFF PLANNER:** Kally Kedinger-Cecil, Assistant Planner

**LOCATION:** 8382 Locust Road in the Elverta area

**APN:** 023-060-013-000

**APPLICANT:** Neal Hocker

**OWNERS:** Raymond and Rebecca Clemens

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**PROPOSAL:**

The applicant requests approval of a Minor Use Permit to allow for a 1,195 square foot temporary hardship dwelling.

**CEQA COMPLIANCE:**

The project is categorically exempt from environmental review pursuant to the provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (E) of the Placer County Environmental Review Ordinance (Class 3 – New Construction of Small Structures). The Zoning Administrator will be required to make a finding to this effect.

**BACKGROUND/ANALYSIS:**

The property is zoned RA-B-X-DR 10 Acre Minimum (Residential Agriculture, with a Combined Development Reserve and a Combined Building Site Minimum of 10 Acres) and is approximately 2 acres. The proposed mobile home will be located to the west of the existing barn and residence. The parcels surrounding the home are under identical zoning and vary in size from 1.2 acres to 9.4 acres. The proposed dwelling will be visible to neighboring properties.

Staff conducted a field review of the site on July 17, 2015. The property is located at the corner of Locust Road and Browning Street in Elverta. The main residence is currently occupied by Raymond Clemens, the property owner and son-in-law of the future occupants of the hardship dwelling. Paul Peterson and

his wife would reside in the temporary hardship dwelling, as he is in need of 24-hour care and supervision.

The property owners have applied for a Minor Use Permit to allow for the construction of a 1,195 square foot temporary hardship dwelling on Assessor's Parcel Number 023-060-013-000. Minor Use Permits for temporary hardship dwellings are required by Section 17.56.290: Temporary Dwellings, Hardship/Disaster Relief of the Placer County Zoning Ordinance. The applicants are constructing the home to accommodate the needs of the property owner's relative, Paul Peterson.

The proposed location of the hardship mobile home complies with the County's requirements in regard to structural setbacks. The Minor Use Permit process allows for hardship dwellings, provided that they are of a temporary nature and are conditioned to be removed when the hardship is removed. Therefore, staff has included conditions to prevent the mobile home from becoming a permanent feature on the property. These conditions include requirements for annual updates on the health and well-being of the family member and notification of her need for continued assistance, as well as a provision to require the removal of the structure within 90 days of removal of the hardship.

The Engineering and Surveying Division and Environmental Health Services support the recommendation of approval for this Variance request, and have recommended conditions of approval related to this staff report.

#### **RECOMMENDATION:**

The Development Review Committee recommends that the Zoning Administrator **approve** this Minor Use Permit (PLN15-00245) based upon the following findings and recommended conditions of approval.

#### **FINDINGS:**

##### CEQA

The project is categorically exempt from environmental review pursuant to the provisions of Section 15303 of the California Environmental Quality Act Guidelines and Section 18.36.050 (A) of the Placer County Environmental Review Ordinance (New Construction).

##### Minor Use Permit:

Having considered the staff report, supporting documents and public testimony, the Zoning Administrator hereby finds that:

1. The proposed Peterson Hardship Home Minor Use Permit request is consistent with applicable policies and requirements of the Placer County General Plan.
2. The proposed hardship dwelling is consistent with all applicable provisions of the Placer County Zoning Ordinance.
3. The operation of the proposed garage will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of people residing in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the County.
4. The proposed use of the temporary hardship dwelling will be consistent with the character of the immediate neighborhood and will not be contrary to its orderly development.
5. The proposed use of the temporary hardship dwelling will not generate a volume of traffic beyond the design capacity of all roads providing access to the project site.

**RECOMMENDED CONDITIONS OF APPROVAL:**

1. This Minor Use Permit (PLN15-00245) authorizes the construction of a 1,195 square foot temporary hardship dwelling on APN 023-060-013-000, as shown on the attached Site Plans (Attachment C). (PLN)
2. The proposed driveway, which will connect to a County maintained road (Browning Street), shall be constructed to a Plate R-18, LDM standard for a residential unit. The design speed of the roadway is 25 mph or as otherwise specified by the DPW. An Encroachment Permit shall be obtained from DPW prior to the construction of the driveway or Building Permit issuance. The maximum width of the residential driveway shall be 26 feet.
3. Prior to Building Permit issuance, obtain an appropriate address for this project from Placer County Addressing (ESD). Contact Kathryn Imsdahl at (530) 745-7577.
4. The applicant shall defend, indemnify, and hold harmless the County of Placer, the County Board of Supervisors, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorney's fees awarded in any proceeding brought in any State or Federal court, challenging the County's approval of that certain Project known as the Peterson Hardship Dwelling (PLN15-00245) shall, upon written request of the County pay, or at the County's option reimburse the County for, all reasonable costs for defense of any such action and preparation of an administrative record, including the County staff time, costs of transcription and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon written request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition. (PLN)
5. This Minor Use Permit (PLN15-00245) shall expire on August 20, 2017, unless previously exercised with a final approval of the hardship dwelling from the County. (PLN)

**ATTACHMENTS:**

Attachment A – Engineering and Surveying Division Memorandum

Attachment B – Environmental Health Services Memorandum

Attachment C – Site Plan

cc: Phillip Frantz - Engineering and Surveying Division  
Laura Rath - Environmental Health Services  
Raymond and Rebecca Clemens – Property Owners  
Neal Hocker - Applicant



MEMORANDUM

TO: JULIE LEIPSIC, PLANNING DIVISION  
KALLY KEDINGER-CECIL, PLANNING DIVISION  
DATE: AUGUST 5, 2015

FROM: PHILLIP A. FRANTZ, ENGINEERING & SURVEYING DEPARTMENT

SUBJECT: **PLN15-00245: HARDSHIP MOBILE HOME; 8382 LOCUST ROAD; RAYMOND CLEMENS; (APN: 023.060.013)**

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The Engineering & Surveying Department (ESD) **supports** the Development Review Committee's recommendation for this Hardship Mobile Home Application subject to the following conditions:

1. The proposed driveway, which will connect to a County maintained road (Browning Street), shall be constructed to a Plate R-18, LDM standard for a residential unit. The design speed of the roadway is 25 mph or as otherwise specified by the DPW. An Encroachment Permit shall be obtained from DPW prior to construction of the driveway or Building Permit issuance. The maximum width of the residential driveway shall be 26'.
2. Prior to Building Permit issuance, obtain an appropriate address for this project from Placer County Addressing (ESD). Contact Kathryn Imsdahl at (530)745-7577.



## Placer County Health and Human Services Department

Jeffrey S. Brown, M.P.H., M.S.W.  
Department Director

Wesley G. Nicks, R.E.H.S.  
Environmental Health, Director

# MEMORANDUM

## OFFICE OF THE PLACER COUNTY HEALTH AND HUMAN SERVICES Division of Environmental Health

**To:** Kally Kedingler-Cecil, Placer County Planning Department

**From:** Laura Rath, REHS  
Land Use and Water Resources Section

**Date:** July 23, 2015

**Subject:** **PLN15-00245, Peterson House, APN 023-060-013**

Environmental Health Services has reviewed the subject minor use permit application and has the following comments or recommended conditions of approval:

- 1) Prior to building permit approval contact Environmental Health Services, pay required fees and perform testing to evaluate soil quality and soil depth for a seepage pit system. Obtain an approved seepage pit construction permit and install a new system to serve the proposed residence.
- 2) Submit to Environmental Health Services, for review and approval, a 4 hour well yield report for the existing well. Additional domestic water storage or construction of a new well with adequate yield may be required, depending upon the results of the report.
- 3) Submit to Environmental Health Services, for review and approval, a water quality analysis report on water from the existing well. The report must be prepared by a State Certified laboratory and include at a minimum, Bacteriology: total coliform, fecal coliform and chlorine residual.

*Perspective, Hope, and Opportunity*

