

GLENN COUNTY
Planning & Community Development Services Agency

225 N. Tehama Street
Willows, CA 95988
530.934.6540
www.countyofglenn.net



Mardy Thomas, Director

LG Construction
5726 Grange Rd.
Corning, CA 96021

Phone: (530) 354-2806
Email: lgandsonsconstruction@gmail.com

RE: Administrative Permit 2023-007, LG Construction, Second Residence
APN: 022-090-040

November 2, 2023

To Whom It May Concern,

The application for an Administrative Permit to install a 1,188 sq. ft. second residence in the "FA-160" (Extensive Agricultural) zoning district is an allowed use under Glenn County Code.

On November 2, 2023, the Glenn County Planning & Community Development Services Agency approved the Administrative Permit. Included is a copy of the Compliance Requirements. Please sign the Compliance Requirements as indicated and email or return to the Glenn County Planning & Community Development Services Agency, 225 North Tehama Street, Willows, CA 95988, prior to issuance of a building permit.

Please note that this is not a building permit. Please contact the Glenn County Building Inspection Division at (530) 934-6546 for information on acquiring a building permit.

Sincerely,

Courtney Paget
Assistant Planner
cpaget@countyofglenn.net

Cc: Glenn County Assessor's Office
Glenn County Building Inspector
Glenn County Environmental Health
Glenn County Public Works

GLENN COUNTY

Planning & Community Development Services Agency

225 North Tehama Street
Willows, CA 95988
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Mardy Thomas, Director

STAFF REPORT

DATE: November 2, 2023

FROM: Courtney Paget, Assistant Planner

RE: **Administrative Permit 2023-007, Second Residence**

Attachments:

1. Compliance Requirement(s)
2. Application and Documents
3. Site Plan

1 PROJECT SUMMARY

Luis Garcia has applied to place a 1,188± square foot second residence on Assessor Parcel Number: 022-090-040. There is one existing residence on the site; therefore, an Administrative Permit for a Second Residence is required per Glenn County Code §15.32.020.S. The proposed residence has overall dimensions of 46 feet by 29± feet.

The 46.0 ± acre property is zoned “FA-160” Foothill Agriculture/Forestry Zone (160-acre, minimum parcel size) and is designated “Foothill Agriculture/Forestry” in the Glenn County General Plan. The project site is located at 2634 County Road 304 (existing residence), with the new address being 2664 County Road 304; east of County Road 306, south of County Road 309, north of Stony Gorge Dam, and west of County Road 304, in the unincorporated area of Glenn County, California.

1.1 RECOMMENDATIONS

Staff recommends that the Director find that this project qualifies as a statutory exemption within section 15268 of the California Environmental Quality Act.

Staff also recommends that the Director approve the Administrative Permit with the information as presented in the Staff Report and the Compliance Requirements as attached.

2 ANALYSIS

The proposed second residence is consistent with the land use in this area. The site’s zoning of Foothill Agriculture/Forestry permits a second residence with an approved Administrative Permit.

Parcels in this area of Glenn County are served by individual wells and onsite septic systems.

2.1 ENVIRONMENTAL DETERMINATION

The second residence as proposed is not anticipated to introduce potentially significant impacts to the environment. California Government Code Section 65852.2 states that applications for second residences shall be considered ministerial without discretionary review. Government Code Section 65852.2(a) (3) states the following:

(3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits.

Therefore, this project is Statutorily Exempt from environmental review pursuant to Section 15268, “Ministerial Projects”, of the Guidelines of the California Environmental Quality Act (CEQA) Article 18 (Statutory Exemptions), §15268(a) & (c) (Ministerial Projects).

2.2 GENERAL PLAN AND ZONING CONSISTENCY

The site is designated “Foothill Agriculture/Forestry” in the Glenn County General Plan and is zoned “FA-160” (Foothill Agriculture/Forestry Zone, 160-acre minimum parcel size). The project site currently has one residence and the proposed second residence is a permitted use within “FA-160” zoning. The project is consistent with surrounding land use because the area consists agricultural uses with associated rural residences. The proposal is consistent with zoning and the General Plan.

2.2.1 “FA” FOOTHILL AGRICULTURE/FORESTRY ZONE (Glenn County Code Chapter 15.32):

Permitted Uses (Glenn County Code §15.32.020):

The proposed second residence is a permitted use under Glenn County Code §15.32.020. S.

Minimum Yard Requirements (Glenn County Code §15.32.070):

- A. Front Yard: The minimum front yard shall be thirty (30) feet. The measurement shall start at the edge of the existing “County Right-of-Way” as shown on the adopted Glenn County Circulation Plan, or the existing right-of-way for the road along the front of or through the property. According to the plot plan provided, this project meets county code, as the front yard is shown as 315 feet.
- B. Side Yards: The minimum side yards shall be twenty-five (25) feet. According to the plot plan provided, this project meets county code, as the side yards exceed 300 feet.
- C. Rear Yard: The minimum rear yard shall be twenty-five (25) feet. According to the plot plan provided, this project meets county code, as the rear yard exceeds 2,000 feet.

Maximum Building Height (Glenn County Code §15.32.060):

The maximum building height in the “FA” zone shall be thirty-five (35) feet for residential structures; and according to the plot plan provided, this project meets county code, as the building height is listed as 14 feet.

2.2.2 MINIMUM RESIDENTIAL CONSTRUCTION STANDARDS (Title 15 Unified Development Code, Chapter 15.59):

Standards (Glenn County Code §15.59.020):

- A. *All single-family dwelling units permitted under the zones established under Chapter 15.30 shall meet the following:*
 - 1. *All units shall be attached to a permanent foundation, pursuant to Health and Safety Code Section 18551. The proposed residence shall be placed on a permanent foundation system.*

2. *An efficiency dwelling unit, as defined in Section 17958.1 of the California Health and Safety Code, shall be allowed provided that it meets all requirements of the building code.* The proposed secondary residence is not an efficiency dwelling.
3. *Mobile homes shall be certified under the National Manufactured Home Construction and Safety Standards Act of 1974 and be at least constructed no more than 10 years prior to the date of building permit application, and no manufactured home or commercial coach shall be moved onto a property until an installation permit has been obtained from the building official. Manufactured homes, as defined in Section 18007 of the California Health and Safety Code shall be allowed, provided they meet the requirements of this chapter. All mobile homes shall install skirting prior to the final inspection by the building division.* The Building Inspection Department verifies that an installed home was constructed not more than 10 years ago.
4. *All units shall be designed so that exterior walls are framed with a minimum of two inch by four-inch (nominal) studs.* The walls will be framed with at least 2 by 6-inch studs.

B. All second dwelling units shall meet the following:

1. *All units shall meet the requirements of paragraph (A) of this subdivision.*
2. *Attached second units shall have their own entrance separate from the primary dwelling. An entrance common area which then provides access to each individual dwelling unit shall be acceptable.* The proposed secondary residence is not attached to the primary dwelling.
3. *The requirements of Chapter 15.61 shall be waived in the event that there is insufficient space to park one vehicle in addition to the parking required for the primary dwelling.* The lot size is approximately 46.0± acres, with sufficient space for additional parking.
4. *In accordance with California Government Code Sections 65852.2 (a)(1)(B)(i) and 68582.2(c), no maximum size is imposed on second dwellings provided that it does not exceed lot coverage requirements.* The second residence will not exceed lot coverage requirements.

C. Travel trailers, recreational vehicles, or other similar vehicles capable of travel on public roadways shall not be allowed as a dwelling. The proposed development is a permanent home structure; therefore, this section is not applicable.

Exceptions (Glenn County Code §15.59.050):

- A. *Travel Trailers and mobile homes not meeting the above standards located in mobile home or manufactured housing parks or trailer parks subject to the applicable provisions of the Health and Safety Code of the State of California, or in any public camping ground.* The proposal is not a travel trailer; therefore, not applicable.

- B. *Mobile homes that meet all of the applicable requirements of section 15.59.020, except for the requirement that the mobile home be 1980 model year or newer, may be permitted in the Agricultural zone, provided that an inspection by the Building Inspector confirms compliance with all other requirements in this Chapter. The proposed project is a new mobile home, which meets this code.*
- C. *Mobile homes placed on an individual lot in accordance with applicable laws and ordinances at the time of installation may remain at the existing location. The permitted use of such mobile home shall run with the land and shall be transferable to subsequent purchasers. If such mobile home is moved within the county, it must be installed in conformance with this chapter. If the home is relocated, permits would be required from the Building Division.*

2.3 GENERAL PROVISIONS

Flood Zone Designation:

The area of the proposal is located within Flood Zone “X”; according to Flood Insurance Rate Map (FIRM) No. 06021C0550D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (unshaded) consists of areas of minimal risk outside the 1-percent and 0.2-percent annual chance floodplains. No base flood elevations or base flood depths are shown within this zone.

Environmental Health Regulations:

The applicant will be required to comply with all domestic well and sewage disposal system regulations prior to issuance of a building permit for the second residence.

3 PUBLIC BENEFIT

A secondary residence is desirable because it will increase the housing stock in the County and housing opportunities for families. The proposed second residence is consistent with the “FA” zoning. Additionally, the State Legislature has declared that “...second units are a valuable form of housing in California” (Government Code §65852.150).

4 NOTICE TO APPLICANT/AGENT

This Administrative Permit is not a building permit. It is the applicant’s responsibility to secure the necessary permits from all pertaining federal, state, and local agencies.

5 STANDARDS

In accordance with §15.175.020 of the Glenn County Code, and with this review, it is determined that the proposed second dwelling meets the applicable secondary residence development code.

COMPLIANCE REQUIREMENTS

Administrative Permit 2023-007, LG Construction, Second Residence

“FA-160” Foothill Agriculture/Forestry

APN: 022-090-040

Compliance Requirements:

1. That the project activities shall be confined to those areas as shown on the Site Plan being identified as Exhibit “A” as submitted and on file at the Glenn County Planning & Community Development Services Agency.
2. That this Administrative Permit shall expire if it is not executed within one (1) year from its approval date. Execution of the permit is defined as having had substantial physical construction and/or use of the property in reliance on the permit or application for a building permit has been made.
3. Prior to Issuance of Building Permit (Zone Clearance) the Landowner shall submit a copy of a recorded (by Glenn County Recorder’s office) Agriculture Statement of Acknowledgement.
4. Prior to Issuance of Building Permit (Zone Clearance) all Environmental Health requirements/regulations shall be met including, not limited to; permit and fee submittals, septic system (re-)design, and verification of sufficient area on the parcel to accommodate the system.

Acknowledgment:

I hereby declare that I have read the foregoing conditions, that they are in fact the conditions that were imposed upon the granting of this permit, and that I agree to abide fully by said conditions. Additionally, I have read the staff report and I am aware of codified county, state, and/or federal standards and regulation that shall be met with the granting of this permit.

Signed: _____ Date: _____
Luis Garcia, LG Construction

Signed: _____ Date: _____
Dade Smith, Landowner

Signed: _____ Date: _____
Elizabeth Smith, Landowner

Date Submitted: _____

**GLENN COUNTY
PLANNING AND COMMUNITY
DEVELOPMENT SERVICES AGENCY**
225 North Tehama Street
Willows, CA 95988
(530) 934-6540
planning@countyofglenn.net

APPLICATION FOR ADMINISTRATIVE PERMIT - RESIDENTIAL

NOTE: FAILURE TO ANSWER APPLICABLE QUESTIONS AND REQUIRED ATTACHMENTS COULD DELAY THE PROCESSING OF YOUR APPLICATION.

1. Applicant(s):

Name: Luis Garcia (LG Construction)

Address: 5726 Grange Rd, Corning, CA 96021

Phone: (530) 354-2806 E-Mail: lgandersonconstruction@gmail.com

2. Property Owner(s):

Name: Dade + Elizabeth Smith

Address: 2634 County Rd 304

Phone: (530) 864-7694 E-Mail: elizasmith75@outlook.com

3. Engineer/Person who Prepared Site Plan (if applicable):

Name: _____

Address: _____

Phone: _____ E-Mail _____

4. Name and address of property owner's duly authorized agent (if applicable) who is to be furnished with notice of hearing (§65091 California Government Code).

Name: _____

Mailing Address: _____

5. Existing Use of Property: _____

6. Request or Proposal:

7. Address and Location of Project: 2634 County Rd. 304 Elk Creek, CA 95939

8. Current Assessor's Parcel Number(s): 022-090-040-000

9. Existing Zoning (<http://gis.gcppwa.net/zoning/>): _____

10. Provide any additional information that may be helpful in evaluating your proposal.

11. Setback Dimensions (Distance from property line to proposed structure):

North: 75+ ft.

South: 75+ ft.

no exact
measurements

East: 75+ ft.

West: 75+ ft.

property is 44
acres.

Other Setback/s: _____ ft.

12. Provide the following information:

Size of Assessor Parcel: _____ sq.ft. 44 acres

Mean height of structure: 9 ft. Peak height of structure: 14 ft.

Dimensions of proposed including overhangs: 46 ft. x 28'8" ft.

Total Square Footage (Proposed): 1188 sq.ft.

Roof Overhang Length: 11 inches Exterior Stud Size: 2x6

Siding Material: Hardie Roof Material: Comp

13. Total Residence Currently on Property: 1

14. Mobile Home: Yes No

Model Year _____ Model Number _____

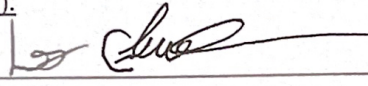
Manufacture _____

DECLARATION UNDER PENALTY OF PERJURY

(Must be signed by Applicant(s) and Property Owner(s))
(Additional sheets may be necessary)

The Applicant(s) and/or Property Owner(s), by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against the foregoing individuals or entities, the purpose of which is to attack, set aside, void or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement whether or not there is concurrent passive or active negligence on the part of the County.

Applicant(s):

Signed: 

Print: Luis Garcia

Date: September 22, 2023

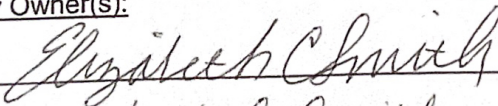
Address: 5726 Grange Rd. Corning, CA 96021

I am (We are) the owner(s) of property involved in this application and I (We) have completed this application and all other documents required.

I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

I (We) declare under penalty of perjury that the foregoing is true and correct.

Property Owner(s):

Signed: 

Print: Elizabeth C Smith

Date: 9/22/2023

Address: 2634 County Rd 304. Elk Creek, CA 95939

CIOS ENCLOSED

2006-3235

Recorded at the request of
NORTH STATE TITLE CO
05/04/2006 09:54A
Fee: 10.00 No of Pages:2

RECORDING REQUESTED BY

North State Title Company

Escrow No. 06300115

Order No.

AND WHEN RECORDED MAIL TO

Dade S. Smith and Elizabeth C. Smith

P.O. Box 135

Elk Creek, CA 95939

OFFICIAL RECORDS

Vince T Minto Clerk-Recorder
Glenn County, CA

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INDIVIDUAL GRANT DEED

A.P.N. 022-090-040-0

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$170.50.

City Transfer Tax is \$0.00.

- computed on full value of property conveyed, or
- computed on full value less value of liens and encumbrances remaining at time of sale.
- Unincorporated area: City of, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

Donald R. McKinley and Connie J. Luallen, Husband and Wife as Joint Tenants

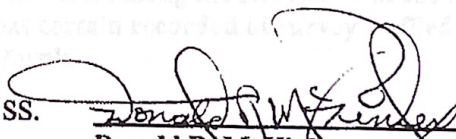
hereby GRANT(S) to **Dade S. Smith and Elizabeth C. Smith, Husband and Wife as Joint Tenants**

the following described real property in the County of GLENN, State of California:

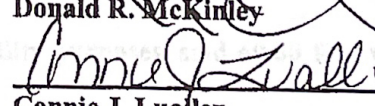
See Exhibit A attached hereto and made a part hereof.

Dated: April 27, 2006

STATE OF CALIFORNIA
COUNTY OF GLENN

SS. 

 Donald R. McKinley



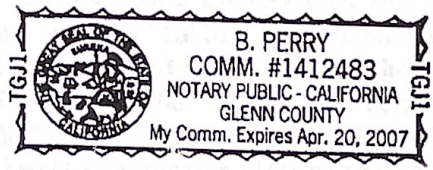
 Connie J. Luallen

On 5-1-06, before me, B. Perry, Notary
 Public, personally appeared **Donald R. McKinley and Connie J.
 Luallen** personally known to me (or proved to me on the basis of
 satisfactory evidence) to be the person(s) whose name(s) is/are
 subscribed to the within instrument and acknowledged to me that
 he/she/they executed the same in his/her/their authorized capacity(ies),
 and that by his/her/their signature(s) on the instrument the person(s),
 or the entity upon behalf of which the person(s) acted, executed the
 instrument

WITNESS my hand and official seal.

Signature _____
MAIL TAX _____

STATEMENTS TO: SAME AS ABOVE



NAME

ADDRESS

CITY, STATE & ZIP



Exhibit A

PARCEL ONE:

All that real property situated in the County of Glenn, State of California, being portion of Section 16, Township 20 North, Range 6 West, M.D.M., described as follows:

All that portion of the West one-half (1/2) of the Northeast one-quarter (1/4) and the West one-half (1/2) of the Southeast one-quarter (1/4) being bounded on the South by that certain parcel of land commonly known as the Elk Creek Community Service District Plant Site as described in document number 95-1261, record of said county and bounded on the West by the thread of a creek known as Stony Creek, said thread of creek also being the boundary of Lots 12 and 13 of Lot Line Adjustment Number 96-12, as conditionally approved by the Glenn County Advisory Committee on August 8, 1996.

PARCEL TWO:

A non-exclusive 40.00 foot wide easement for road and utility purposes, said 40.00 foot wide easement lying 20.00 feet on each side of the following described line:

Beginning at a point located on the South line of Section 9 of said Township and Range from which the Southeast corner of said Section 9 bears North 88° 54' 29" East 1885.49 feet, said point of beginning also being a point located in the centerline of an existing dirt road; thence from said point of beginning, coincident with said dirt road the following seven (7) courses and distances: (1) North 03° 17' 34" West 173.04 feet, (2) North 00° 32' 28" West, 291.36 feet, (3) North 10° 34' 52" West, 137.27 feet, (4) North 08° 05' 09" East, 183.08 feet, (5) North 15° 55' 29" West, 197.76 feet, (6) North 28° 41' 58" East, 100.69 feet and (7) North 22° 35' 27" East, 287.68 feet to a point located on the North line of the South one-half (1/2) of the Southeast one-quarter (1/4) of said Section 9.

The basis of bearings for this survey is North 89° 57' 58" West along the North line of the NE 1/4 of the NE 1/4 of Section 17, T 20 N, R 6 W, M.D.M., as shown on that certain recorded of survey as filed in Book 10 of Maps & Surveys, at page 66, records of Glenn County, California.

PARCEL THREE:

A non-exclusive 40.00 foot wide easement for road and utility purposes, said 40.00 foot wide easement lying 20.00 feet on each side of the following described line:

BEGINNING at a point located in the North line of the South one-half (1/2) of the Southeast one-quarter (1/4) of Section 9, Township 20 North, Range 6 West, M.D.M., from which the Northeast corner of said South one-half (1/2) of the Southeast one-quarter (1/4) bears North 88° 39' 44" East 1308.59 feet, said point being marked by a 5/8" rebar tagged L.S. 4154; thence from said point, South 00° 18' 32" West, 436.69 feet to a 5/8" rebar tagged LS 4154; thence North 75° 00' 00" West 617.03 feet to the point of beginning. Thence from said point of beginning, North 22° 35' 37" East 287.66 feet; thence North 21° 00' 00" East 520.00 feet; thence North 13° 00' 00" East 305.00 feet; thence North 07° 30' 00" East 70.00 feet; thence North 03° 00' 00" West 480 feet, more or less to a point located in the North line of the Northwest one-quarter (1/4) of the Southeast one-quarter (1/4) of said Section 9 and being the terminus of this easement.

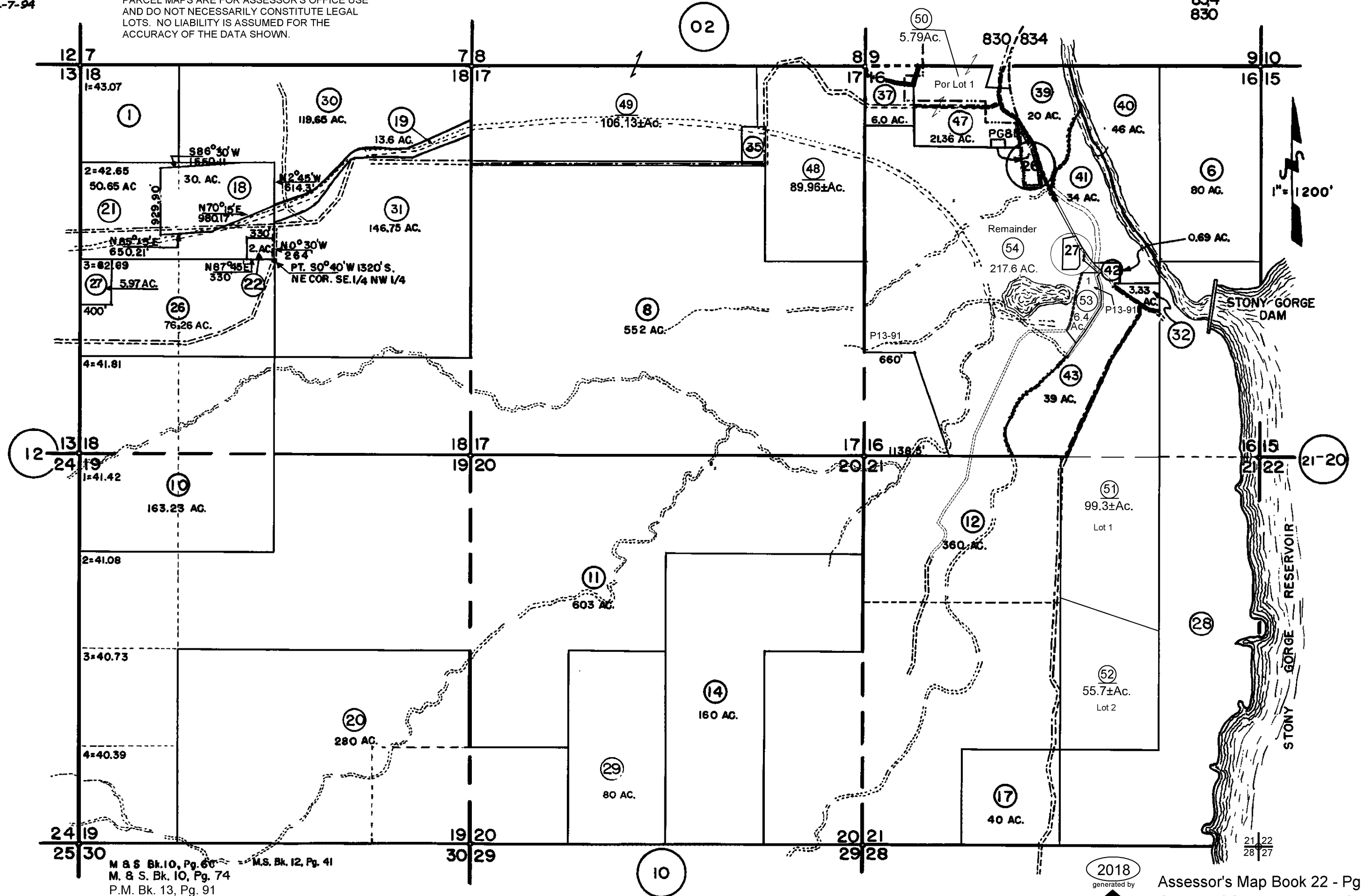
REV.
12-7-94

NOTE: ALL INFORMATION SHOWN ON ASSESSOR
PARCEL MAPS ARE FOR ASSESSOR'S OFFICE USE
AND DO NOT NECESSARILY CONSTITUTE LEGAL
LOTS. NO LIABILITY IS ASSUMED FOR THE
ACCURACY OF THE DATA SHOWN.

T20N R6W

T.C.A. 22-09

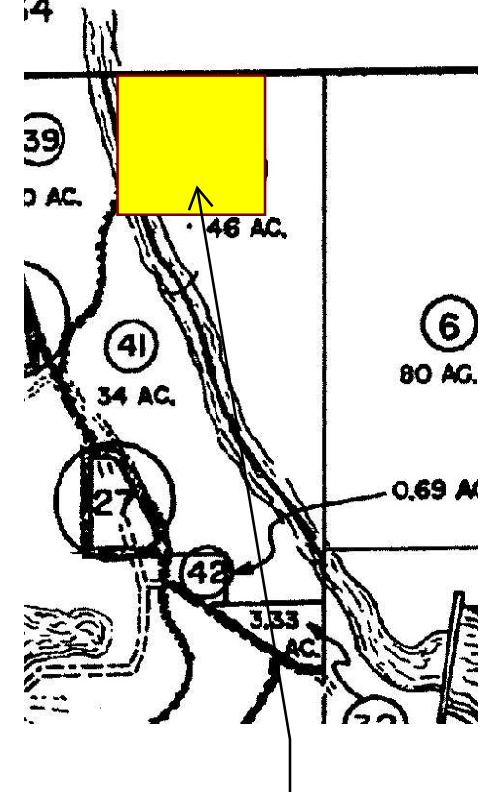
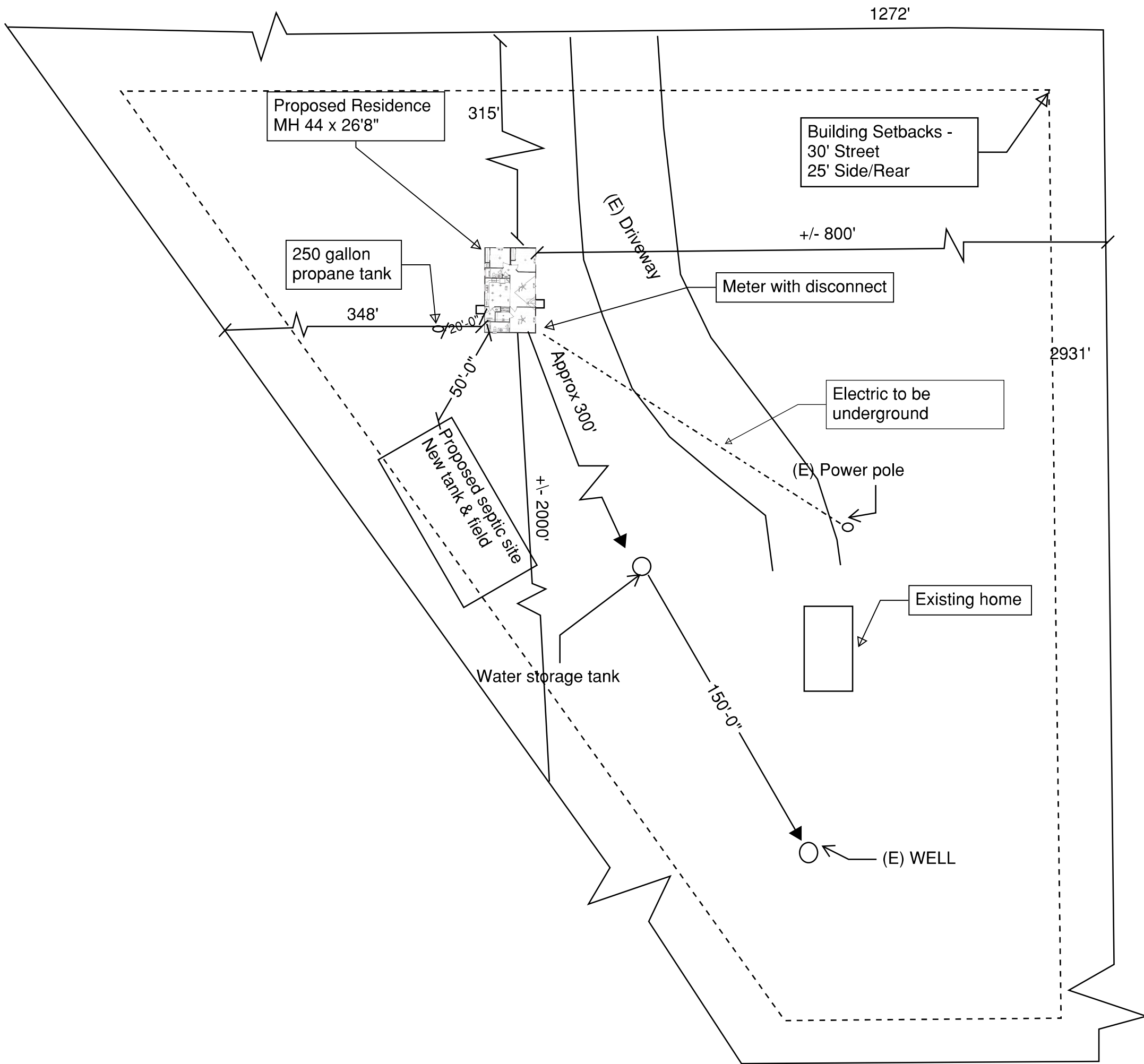
834
830



M & S Bk. 10, Pg. 60
M. & S. Bk. 10, Pg. 74
P.M. Bk. 13, Pg. 91
M.S. Bk. 12, Pg. 41

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PARCELQUEST

Assessor's Map Book 22 - Pg. 09
County of Glenn, Calif.



Subject Area/Vicinity Map NTS

~~Customer: Dade + Liz Smith~~
~~Address: 2634 County Rd. 304~~
~~Elk Creek, CA 95939~~
~~APN#: 022-090-040-000~~

SCALE 1" = 50 FEET

