

GLENN COUNTY
Planning & Public Works Agency



P.O. Box 1070 / 777 N. Colusa Street
Willows, CA 95988
530.934.6530 Fax 530.934.6533
www.countyofglenn.net

Christopher and Bonnie Lapp
4501 County Road MM
Orland, CA 95963

October 10, 2017

RE: Administrative Permit 2017-009
APN: 046-070-004
Approval Notice

Dear Landowners:

The application for an Administrative Permit for a second residence in the “AE-20” (Exclusive Agriculture) zoning district is an allowed use under the Glenn County Code.

On October 10, 2017, the Glenn County Planning & Public Works Agency approved the requisite Administrative Permit. Enclosed is one copy of the Staff Report for your reference. Also enclosed is a separate copy of the Conditions of Approval. Please sign the Conditions of Approval where indicated and submit to the Glenn County Planning & Public Works Agency, 777 North Colusa 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,

A handwritten signature in cursive script, appearing to read 'Hether Ward'.

Hether Ward
Assistant Planner
hward@countyofglenn.net

Cc: Glenn County Building Inspector
Environmental Health

GLENN COUNTY

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STAFF REPORT

DATE: October 10, 2017

TO: Di Aulabaugh, Deputy Director

FROM: Hether Ward, Assistant Planner

RE: Administrative Permit 2017-009
Second Residence, "AE-20" Zoning District

Attachments:

1. Conditions of Approval
2. Application
3. Maps and Exhibit "A"

1 PROJECT SUMMARY

Christopher and Bonnie Lapp have applied for an Administrative Permit to locate a 1,020 square feet second residence with overall dimensions of 34 feet by 30 feet on Assessor's Parcel Number 046-070-004. According to the site plan, the current residence at 4501 County Road MM, Orland, is located approximately 200 feet southwest of the proposed residence.

The project is located at 4501 County Road MM in Orland. The site is on the northwest corner of the intersection of County Road 12 and County Road MM, east of Stanton Way, south of Stony Creek, and just north of the City of Orland, in the unincorporated area of Glenn County, California. The parcel is zoned "AE-20" (Exclusive Agriculture, 17-acre minimum parcel size) and is designated "General Agriculture" in the Glenn County General Plan.

1.1 RECOMMENDATIONS

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

Staff also recommends that the Deputy Director approve the Administrative Permit with the Findings as presented in the Staff Report and the Conditions of Approval as attached.

2 ANALYSIS

The existing residence, with a proposed second residence, is consistent with zoning in this area. Zoning allows for second residences with an approved Administrative Permit. Parcels in this area of Glenn County are served by individual wells and septic disposal systems.

2.1 ENVIRONMENTAL DETERMINATION

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.

2.2 GENERAL PLAN AND ZONING CONSISTENCY

The parcel is designated "General Agriculture" in the Glenn County General Plan and is zoned "AE-20" (Exclusive Agriculture, 17-acre minimum parcel size). The project site currently has one residence and the proposed second residence is a permitted use within the "AE-20" zone

with approval of an Administrative Permit (Glenn County Code Chapter 15.330.050.A). The project is consistent with surrounding land use because the area consists of rural residential uses and nearby agricultural zoning. The proposal is consistent with zoning and the General Plan.

Uses Permitted With an Administrative Permit (Glenn County Code §15.330.050):

In accordance with §15.330.050(A), a Second residence per each parcel of land is permitted if an administrative permit has first been secured (refer to minimum residential construction standards).

Purpose (Glenn County Code §15.330.010):

The exclusive agricultural zoning classification is established to preserve the maximum amount of the limited supply of agricultural land which is necessary in the conservation of the County's economic resources and vital for a healthy agricultural economy of the County, to eliminate the encroachment of land uses which are incompatible with the agricultural use of land, to prevent the unnecessary conversion of agricultural land to urban uses and to provide areas for both intensive and extensive agricultural activities. The proposal of the second residence is consistent with surrounding land use because the area consists of agricultural uses and residential structures. The proposal will not adversely affect surrounding uses in the area and will not adversely affect the General Plan.

2.2.1 “AE-20” Exclusive Agricultural (Glenn County Code Chapter 15.330):

Site Area (Glenn County Code §15.330.020):

The minimum parcel size for the “AE-20” zone is 17-acres. Although the parcel (5.2± acres) does not meet the 17- acre minimum, the site is adequate in size and shape to accommodate the proposed project.

Maximum Building Height (Glenn County Code §15.330.060)

The proposed height of the residence is approximately 20 feet; therefore, it will not exceed the maximum height of thirty-five feet for residential structures as stated in Glenn County Code §15.330.060.A.

Minimum Distance Between Structures (Glenn County Code §15.330.070):

The current residence is approximately 200 feet southwest of the proposed residence. The Building Inspection Division will not issue a building permit if it is found not to be in compliance with building and fire codes.

The fire protection regulations of the affected fire district shall be complied with. This project will be required to comply with the regulations of the Orland Rural Fire Protection District.

Minimum Yard Requirements (Glenn County Code §15.330.080)

The plot plan depicts that the proposed 2nd residence exceeds 100 feet from all property lines. Therefore, the second residence as proposed on the site plan meets the required minimum yard setbacks of thirty feet for the front yard, twenty-five for side yard, and twenty-five feet for the rear yard.

Based on the information as provided in the application and site plan the proposal is consistent with Glenn County Code.

2.2.2 Minimum Residential Construction Standards (Title 15 Unified Development Code)

Standards (Glenn County Code §15.590.020):

- A. *All dwelling units shall be at least fourteen feet in width or diameter (excluding eaves) and at least seven hundred square feet in gross floor area. The overall maximum dimensions of the proposed residence are 34 feet by 30 feet and the maximum gross floor area is 1,020± square feet; therefore, the proposed residence will exceed the minimum width and the minimum square footage.*
- B. *Mobile homes shall be certified under the National Manufactured Home Construction and Safety Standards Act of 1974 and be at least constructed after 1979. All mobile homes on engineered Tie-down Systems shall have skirting approved by the building inspection division to be installed within sixty (60) days from the date of issuance of the Certificate of Occupancy by the building inspection division. The proposed residence is not a mobile home.*
- C. *All units shall be attached to a permanent foundation or permanent foundation system, pursuant to Health and Safety Code Section 18551. A mobile home used for a watchman or caretaker, who is employed by an on-going business on that parcel, in any commercial or industrial zone shall not be required to be attached to a permanent foundation system. The proposed residence will be placed on a permanent foundation system.*
- D. *All units shall be designed so that exterior walls look like wood or masonry or stucco regardless of their actual composition and must be framed with a minimum of two inch by four inch studs. The exterior walls of the proposed residence will be composed of cement board siding. The walls will be framed with 2 inch by 6 inch studs.*
- E. *The roofing materials shall be designed to look like composition roofing, tile, shakes, shingles, or tar and gravel, or architectural metal roof sheathing with factory applied color coatings. The roofing material of the proposed residence will be composed of composition shingle.*
- F. *Unit siding shall extend to the ground level (wood excluded) except that when a solid concrete or masonry perimeter foundation is used, then siding need only extend one and one-half inches below the top of the foundation. The Glenn County Building Inspection Division will verify that this standard is met.*
- G. *The slope of the main roof shall not be less than two (2) inches of vertical rise for twelve (12) inches of horizontal run. Ramadas encompassing manufactured housing shall be prohibited. The slope of the roof will have 5 inches of vertical rise for every 12 inches of horizontal run.*
- H. *All units shall have a perimeter roof overhang perpendicular to the axis of the roof line of not less than one foot measured from the vertical side of the home. The proposed residence will have a perimeter roof overhang length of 24 inches.*

Exceptions (Glenn County Code §15.590.050):

As provided with the below codes, there are no exceptions requested with this proposal.

- A. *The planning director may waive the requirements of subsections 15.590.020 (F), (G) and (H) of this chapter when additions to existing dwellings without pitched roofs or roof overhangs are proposed, or when a proposed new dwelling has an architectural design or style including but not limited to the French mansard, pole houses, domes or California mission styles. This is not applicable because the applicants are not requesting a waiver.*
- B. *Travel Trailers and mobile homes not meeting the above standards and mobile homes or manufactured housing home 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 proposed residence is not a mobile home.*
- C. *Mobilehomes that meet all of the applicable requirements of section 15.590.020, 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 residence is not a mobile home.*
- D. *Mobilehomes 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 mobilehome shall run with the land and shall be transferable to subsequent purchasers. If such mobilehome is moved within the county it must be installed in conformance with this chapter. The proposed residence is not a mobile home.*

2.3 GENERAL PROVISIONS

Flood Zone Designation:

The project site lies within Flood Zone “X” (shaded) according to Flood Insurance Rate Map (FIRM) No. 06021C0170D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” (shaded) consists of areas within the 0.2% annual chance floodplains. No base flood elevations or base flood depths are shown within these zones.

Environmental Health Regulations:

The proposal is required to comply with all domestic well and sewage disposal system regulations prior to issuance of a building permit.

3 PUBLIC BENEFIT

Housing 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 “AE-20” 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 in all affected federal, state, and local agencies.

5 FINDINGS

Finding 1

The proposed residence meets all applicable Glenn County codes.

CONDITIONS OF APPROVAL

Administrative Permit 2017-009

APN: 046-070-004

Single-family (second) residence in the “AE-20” (Exclusive Agriculture) zoning district.

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 & Public Works 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.

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: _____

Christopher Lapp, Applicant

Date

ADM 2017-009

GLENN COUNTY
PLANNING AND PUBLIC WORKS AGENCY
777 North Colusa Street
WILLOWS, CA 95988
(530) 934-6540
FAX (530) 934-6533
www.countyofglenn.net

**APPLICATION FOR ADMINISTRATIVE PERMIT –
RESIDENTIAL DWELLING**

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

1. Applicant(s):

Name: CHRISTOPHER AND BONNIE LAPP

Mailing Address: 4501 CO RD MM

Phone:(Business) 530 591 7977 (Home) 530 865 7977

Fax: _____ E-mail: _____

2. Property Owner(s):

Name: CHRISTOPHER AND BONNIE LAPP

Mailing Address: 4501 CO RD MM

Phone:(Business) _____ (Home) _____

Fax: _____ E-mail: _____

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

Name: CHRISTOPHER LAPP

Mailing Address: _____

Phone:(Business) _____ (Home) _____

Fax: _____ E-mail: _____

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

Name: N/A

Mailing Address: _____

5. Request or Proposal: BUILD SECOND RESIDENCE, FOR 'GRANDMA'S' QUARTERS / CARETAKER

6. Address and Location of Project: 4501 CO. RD MM

7. Current Assessor's Parcel Number(s): 046-070-004-0

8. Existing Zoning: AEZO

9. Existing Use of Property: FAMILY FARM

10. Provide any additional information that may be helpful in evaluating this proposal: _____

11. Please provide the following building information:

Height of structure: 20'

Pitch of roof: 5/12

Dimensions: 34 ' x 30 ' ; 1020 ft²

Siding material: CEMENT BOARD

Roof material: COMPOSITION SHINGLES

Exterior stud size: 2x6

Roof overhang length: 24"

Mobile home: Yes No

Model Year: _____

Model Number: _____

Manufacturer: _____

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:

Date:

Address:

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:

Date:

Address:

RECORDING REQUESTED BY
CHRISTOPHER D LAPP
WHEN RECORDED MAIL TO
CHRISTOPHER D LAPP
4501 COUNTY RD N
ORLAND, CA 95963-9809
Contract #396027

CLOS ENCLOSED

2005-1800
 Recorded at the request of
 GLENN COUNTY TITLE CO
 03/11/2005 03:13P
 Fee: 13.00 No of Pages:3

OFFICIAL RECORDS
 Vince T Minto Clerk-Recorder
 Glenn County, CA

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NO TRANSFER TAX DUE IN THE OPINION OF THE GRANTOR

Grant Deed

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Department of Veterans Affairs of the State of California, successor to the Veterans Welfare Board of the State of California, does hereby grant to

CHRISTOPHER D. LAPP AND BONNIE LAPP

Husband and Wife, as joint tenants, the real property situate in the County of Glenn, State of California, described as follows:

SEE EXHIBIT "A" ATTACHED

Subject to all taxes, conditions, reservations, assessments, restrictions, liens, rights of way, and easements of record.

Dated: February 18, 2005

SEAL

STATE OF CALIFORNIA }
 COUNTY OF SACRAMENTO } ss.

DEPARTMENT OF VETERANS AFFAIRS
 OF THE STATE OF CALIFORNIA

On February 18, 2005, before me, ELOUISE MCNEAL, NOTARY PUBLIC, personally appeared GEORGE FLORES, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

By *George Flores*
 AUTHORIZED OFFICER

WITNESS my hand and official seal.
Eloise McNeal
 Notary Public in and for said County and State



MAIL TAX STATEMENTS TO THE RETURN ADDRESS ABOVE

MCG



ILLEGIBLE NOTARY SEAL DECLARATION
GOVERNMENT CODE 27361-7

I CERTIFY UNDER THE PENALTY OF PERJURY THAT THE NOTARY SEAL
ON THE DOCUMENT TO WHICH THIS STATEMENT READS AS FOLLOWS:

Name of Notary Elouise McNeal Exp. Date March 7, 2006
Commission ID# 1345529 Manufactures ID# AAC1
County Sacramento State CA
Place of execution of this declaration Glenn County
Date March 10, 2005 By: Heather Sutuff
Glenn County Title Company

EXHIBIT "A"

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA, COUNTY OF GLENN, STATE OF CALIFORNIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 22 NORTH, RANGE 3 WEST, M.D.B.&M., AND BEING THAT PORTION OF THE EAST 510 FEET OF LOT 7, SUBDIVISION NO. 16, U.S. IRRIGATION DISTRICT AS FILED IN THE RECORDS OF GLENN COUNTY, LYING SOUTH OF THE SOUTH BANK OF STONY CREEK, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

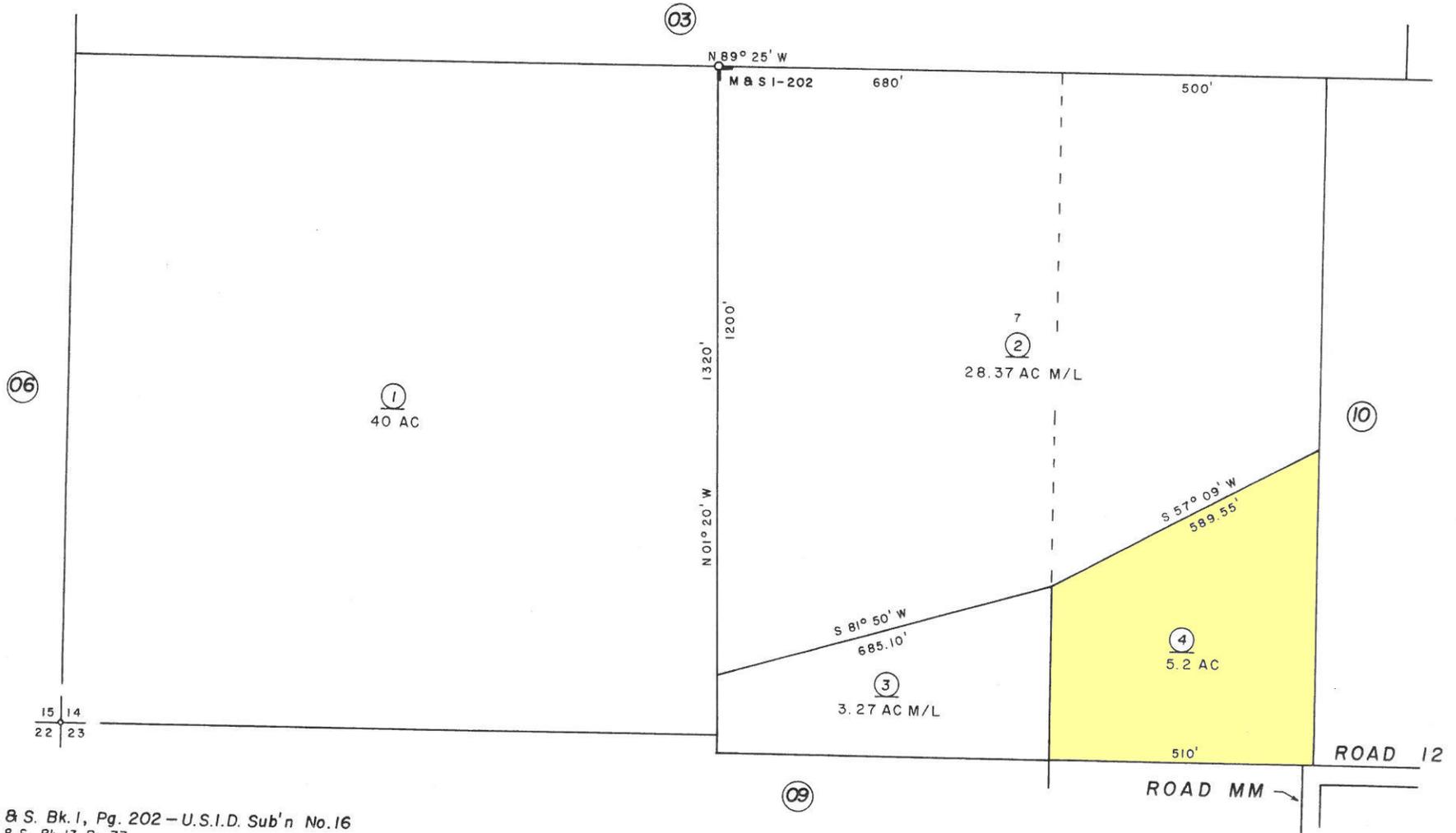
BEGINNING AT A ¾" IRON PIPE, LOCATED IN THE CENTERLINE OF A COUNTY ROAD, SAID PIPE BEING THE SOUTHEAST CORNER OF SAID LOT 7 MENTIONED ABOVE, THENCE N. 89° 55' W. 510 FEET, ALONG THE SOUTH LINE OF SAID LOT 7 TO A ¾" IRON PIPE, THENCE N. 2° 04' E. 284.6 FEET TO A ¾" IRON PIPE ON THE SOUTH BANK OF STONY CREEK, THENCE N. 57° 09' E. 589.55 FEET ALONG THE SOUTH BANK OF STONY CREEK TO A ¾" IRON PIPE, LOCATED ON THE EAST LINE OF SAID LOT 7, THENCE S. 0° 27' E. 604.8 FEET ALONG THE EAST LINE OF SAID LOT 7 TO THE PLACE OF BEGINNING.



NOTE: ALL INFORMATION SHOWN ON ASSESSOR'S
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.

U. S. SUBDIVISION NO. 16 &
POR. SEC. 14, T. 22 N., R. 3 W., M. D. B. & M.

46-07



M. & S. Bk. 1, Pg. 202 - U.S.I.D. Sub'n No. 16
M. & S. Bk. 13, Pg. 77

Assessor's Map Bk. 46 - Pg. 07

County of Glenn, Calif.

1974

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

