

**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](http://www.countyofglenn.net)



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Leo and Christy Gunther  
6347 County Road 20  
Orland, CA 95963

January 22, 2018

RE: Administrative Permit 2018-001  
APN: 047-150-038  
Approval Notice

Dear Landowners:

The application for an Administrative Permit for a second residence in the “RE-5” (Rural Residential) zoning district is an allowed use under the Glenn County Code.

On January 22, 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,

Greg Conant  
Assistant Planner  
[Gconant@countyofglenn.net](mailto:Gconant@countyofglenn.net)

Cc: Glenn County Building Inspector  
Environmental Health

**GLENN COUNTY**  
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**STAFF REPORT**

DATE: January 22, 2018  
TO: Di Aulabaugh, Deputy Director  
FROM: Greg Conant, Assistant Planner  
RE: Administrative Permit 2018-001  
Second Residence, "RE-5" Zoning District

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Attachments:

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

## **1 PROJECT SUMMARY**

Leo and Christy Gunther have applied for an Administrative Permit to locate a 1,000 square feet second residence with overall dimensions of 28 feet by 32 feet by 28 feet on Assessor's Parcel Number 047-150-038. According to the site plan, the current residence is located at 6347 County Road 20, Orland, CA 95963.

The site is on the south side of County Road 20, west of County Road HH, north of County Road 21, east of County Road F, and southwest of the City of Orland, in the unincorporated area of Glenn County, California. The parcel is zoned "RE-5" (Rural Residential Estate, 4.25 acre minimum parcel size) and is designated "Rural Residential" 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 sewage disposal 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.

### **2.2 GENERAL PLAN AND ZONING CONSISTENCY**

The parcel is designated "Rural Residential" in the Glenn County General Plan and is zoned "RE-5" (Rural Residential Estate, 4.25-acre minimum parcel size). The project site currently has one residence and the proposed second residence is a permitted use within the "RE-5" zone with

approval of an Administrative Permit (Glenn County Code Chapter 15.350). The project is consistent with surrounding land use because the area consists of rural residential uses associated with agricultural use. The proposal is consistent with zoning and the General Plan.

Uses Permitted With an Administrative Permit (Glenn County Code §15.350.040):

In accordance with §15.350.040(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 §15.350.010)

This zoning classification is established to provide for residential development within a range of densities compatible with a rural character and life-style, to allow residential uses in areas where agriculture is clearly a secondary use, to use as a buffer zone between agricultural land and urbanized development and to provide areas for hobby farms. The proposal of the second residence is consistent with surrounding land use because the area consists of rural residential structures and agriculture. The proposal will not adversely affect surrounding uses in the area and will not adversely affect the General Plan.

**2.2.1 “RE” Rural Residential Estate Zone (Glenn County Code Chapter 15.350):**

Sub-Zone and Lot Area (Glenn County Code §15.350.050):

The minimum parcel size for the “RE-5” zone is 4.25 acres. The parcel is 4.99 ± acres; therefore, it meets the minimum parcel size for this zone.

Minimum Yard Requirements (Glenn County Code §15.350.060):

The plot plan depicts that the proposed 2<sup>nd</sup> residence exceeds 50 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, fifteen feet for side yard, and twenty-five feet for the rear yard.

Maximum Building Height (Glenn County Code §15.350.070):

The proposed height of the residence is approximately 28 feet; therefore, it will not exceed the maximum height of thirty-five feet for residential structures as stated in Glenn County Code §15.350.070.A.

Minimum Distance Between Structures (Glenn County Code §15.350.080):

The current residence is approximately 74 feet north 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. This project will be required to comply with the regulations of the Orland Rural Fire Protection District.

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, Chapter 15.590):**

Applicability (Glenn County Code §15.590.010):

A. *Glenn County Code §15.590.010.A: All single-family dwellings, mobilehomes, modular homes and temporary dwellings shall meet the minimum residential construction standards set forth in this Chapter.*

Standards (Glenn County Code §15.590.020):

A. *All single-family dwelling units permitted under the zones established under Chapter 15.300 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 will 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. At 1,000 square feet 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 after 1979. 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 proposed secondary residence is not a mobile home therefore is not applicable.*
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 2 inch 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 therefore it is not applicable.*
3. *The requirements of Chapter 15.610 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. There is sufficient space for one additional parking space.*
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 proposed residence is 28 feet by 32 feet and the floor area is 1,000± square feet

- 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 structure.

Exceptions (Glenn County Code §15.590.050):

- 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 proposed secondary residence is not a mobile home therefore is not applicable.
- 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 secondary residence is not a mobile home therefore is not applicable.
- C. *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 secondary residence is not a mobile home therefore is not applicable.

## 2.3 GENERAL PROVISIONS

Flood Zone Designation:

The project site lies within Flood Zone “X” according to Flood Insurance Rate Map (FIRM) No. 06021C0400D, dated August 5, 2010, issued by the Federal Emergency Management Agency (FEMA). Flood Zone “X” consists of areas of minimal risk outside the 1-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**

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 “RE-5” 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 2018-001**

APN: 047-150-038

Single-family (second) residence

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: \_\_\_\_\_

Leo and Christy Gunther, Applicant/Owner

\_\_\_\_\_

Date

ADM 2018-001

GLENN COUNTY  
PLANNING AND PUBLIC WORKS AGENCY  
777 North Colusa Street  
WILLOWS, CA 95988  
(530) 934-6540  
FAX (530) 934-6533  
[www.countyofglenn.net](http://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: Leo and Christy Gunther  
Mailing Address: 6347 County Road 20, Orland CA 95963  
Phone: (Business) (530) 321-9057 (Home) (530) 321-9057  
Fax: (530) 865-7719 E-mail: leoguntherent@gmail.com

2. Property Owner(s):

Name: Leo and Christy Gunther  
Mailing Address: 6347 County Road 20, Orland CA 95963  
Phone: (Business) (530) 321-9057 (Home) (530) 321-9057  
Fax: (530) 865-7719 E-mail: leoguntherent@gmail.com

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

Name: Matthew Amaro  
Mailing Address: 453 North Murdock Ave Willows CA 95988  
Phone: (Business) (530) 592-9912 (Home) —  
Fax: N/A E-mail: AmaroMathew@Bmail.com

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: Leo + Christy Gunther

Mailing Address: 6347 County Road #20 Orland CA 9596

5. Request or proposal: New home as a 2nd dwelling. (Alternate dwelling unit.)

6. Address and location of project: 6347 County Road #20 Orland

7. Current Assessor's Parcel Number(s): 047-150-038

8. Existing Zoning: RE-5

9. Existing Use of Property: Residential

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

11. Please provide the following building information:

Height of structure: 28'

Pitch of roof: 10:12

Dimensions: 28 x 32 x 28 ft.

Siding material: Wood siding and stucco

Roof material: Comp shingles

Exterior stud size: 2x6

Roof overhang length: 12"

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:~~  Christy Gunther  
~~Print:~~ Leo Gunther Christy Gunther  
Date: 1/16/18

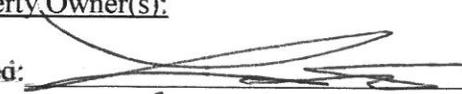
Address: 6347 County Road 20, Orland CA 95963

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.

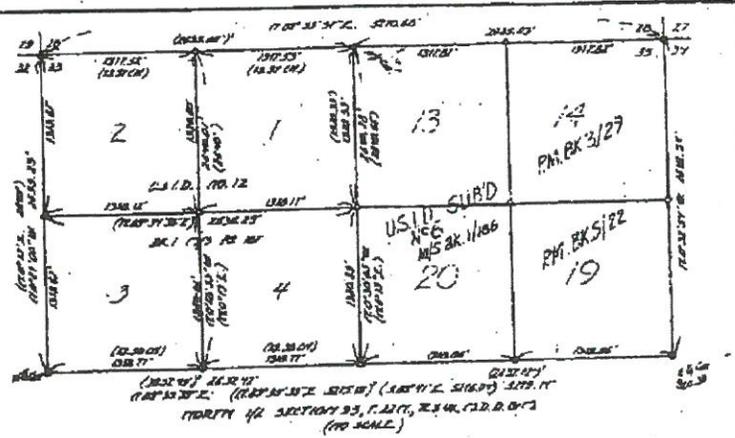
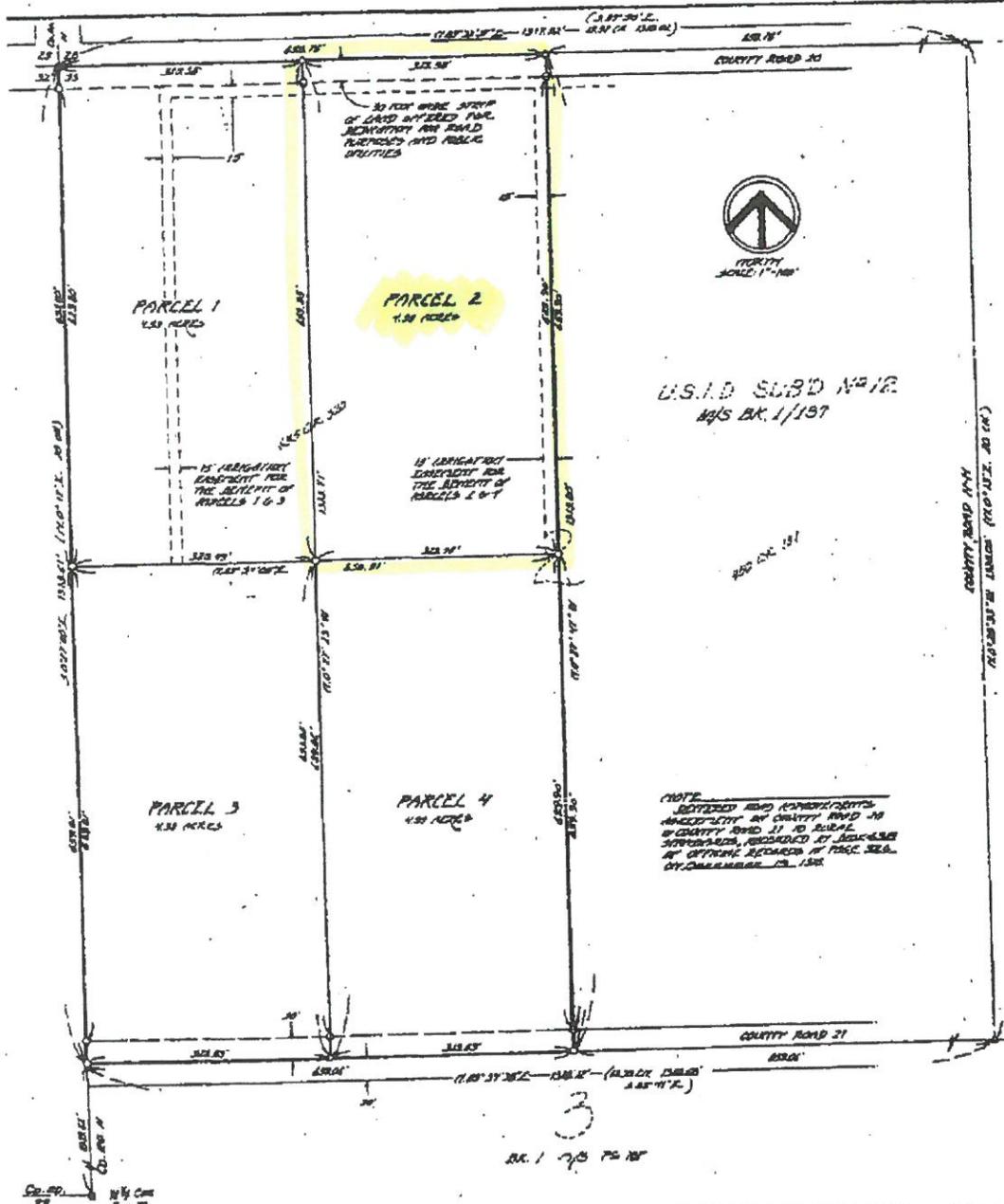
I am (We are) the owner(s) of the property involved in this application and I (We) acknowledge the preparation and submission of this application.

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

Property Owner(s):

~~Signed:~~  Christy Gunther  
~~Print:~~ Leo Gunther Christy Gunther  
Date: 1/16/18

Address: 6347 County Road 20, Orland CA 95963

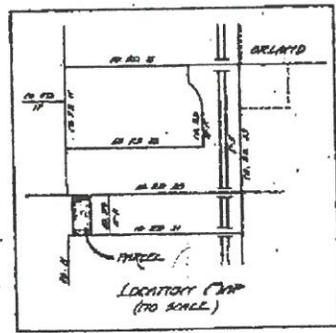


**LEGEND**

- 30' WIDE STRIP HIGHLIGHTED U.S. 1915
- 15' WIDE STRIP HIGHLIGHTED U.S. 1915 PER SEC. 3 PARCEL MAP, PG. 12
- 30' WIDE STRIP HIGHLIGHTED U.S. 1915 PER SEC. 6 PARCEL MAP, PG. 12
- 15' WIDE STRIP HIGHLIGHTED U.S. 1915 PER SEC. 4 PARCEL MAP, PG. 12
- △ COLLECTED POINT, NOT SET OR FOUND
- (-) RECORDED DATA PER SEC. 1, 1980 & 1981, PG. 12
- (-) RECORDED DATA PER SEC. 3 PARCEL MAP, PG. 12
- Z. NOT NUMBERED, U.S.I.D. SUBDIVISION NO. 12

**BASIS OF DEARITIES**

THE BASIS OF DEARITIES FOR THIS SUBJECT TRACT SHALL BE THE TRACT LINE OF SECTION 33, T.22N., R.3W., M.D.B. & C., SUBJECT TO U.S. 1915, BY WHATEVER PART OF SAID 30' WIDE STRIP OF PARCEL MAP OF PAGE 25 OF THE OFFICE OF THE COUNTY CLERK.



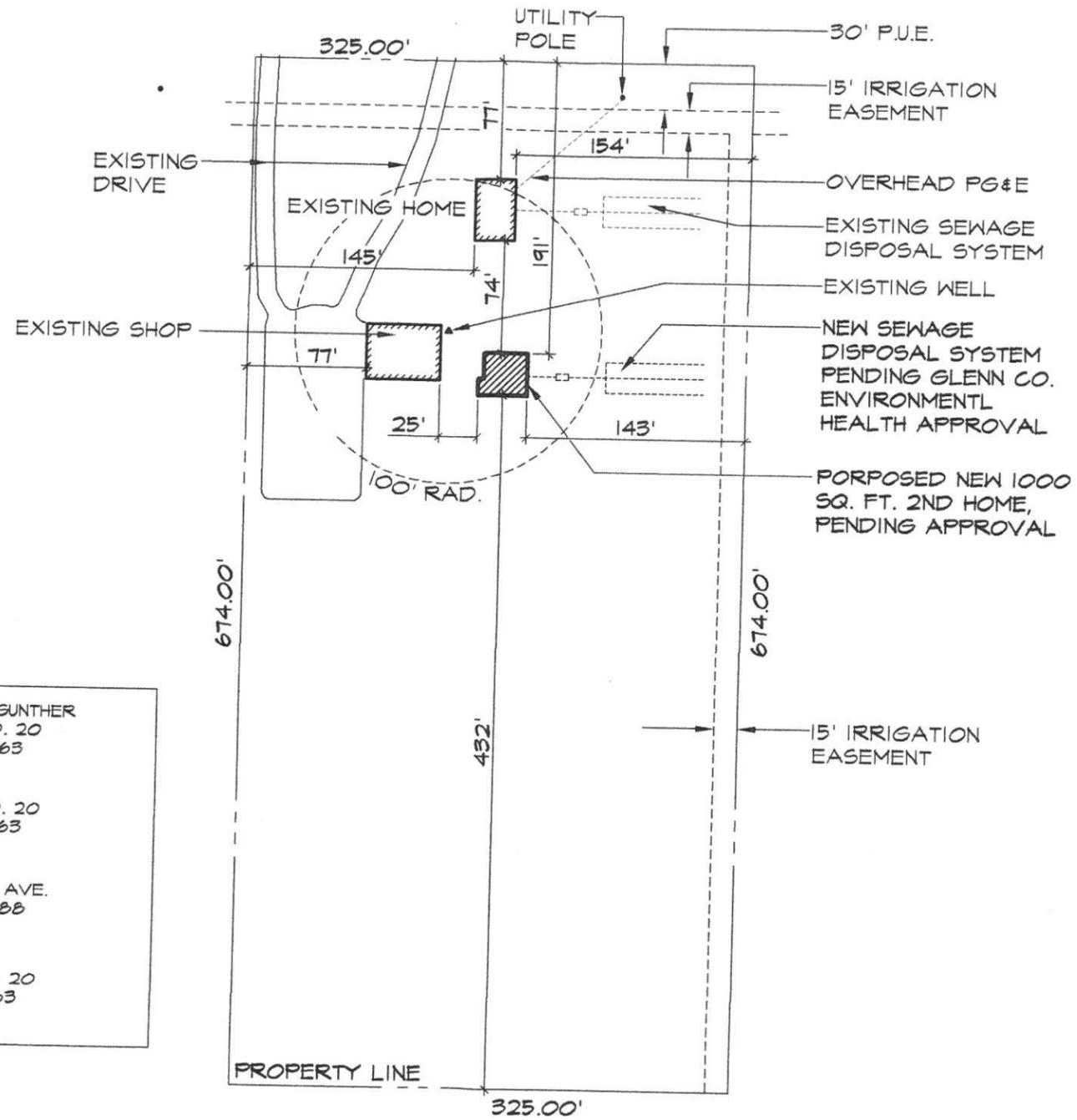
TRACT NO. 606  
**PARCEL MAP**  
 BEING OF THE WEST HALF OF LOT 2,  
 U.S.I.D. SUBDIVISION NO. 12, ALSO BEING  
 A PORTION OF SECTION 33, T.22N.,  
 R.3W., M.D.B. & C.  
 BY THE UNINCORPORATED TERRITORY OF GLENN COUNTY, CALIFORNIA

**KENNETH L. COSE & A GRACE COSE**  
 RT. 1 BOX 161  
 DELICED, CA 95925

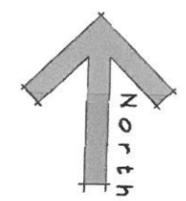
NOV. 1978 SCALE: 1"=100'

**ROBERT C. GOODMUNDSON**  
 LICENSED LAND SURVEYOR - S.S. 4145  
 117 FIFTH STREET DELICED, CA 95925

County Rd. 20 (60' R.O.W.)



| SITE INFORMATION  |                                                                 |
|-------------------|-----------------------------------------------------------------|
| PROPERTY OWNER:   | LEO & CHRISTY GUNTHER<br>6347 COUNTY RD. 20<br>ORLAND, CA 95963 |
| APPLICANT:        | LEO GUNTHER<br>6347 COUNTY RD. 20<br>ORLAND, CA 95963           |
| MAP PREPARED BY:  | MATHEW AMARO<br>453 N. MURDOCK AVE.<br>WILLOWS, CA 95988        |
| SITE APN:         | 047-150-038                                                     |
| SITE ADDRESS:     | 6347 COUNTY RD. 20<br>ORLAND, CA 95963                          |
| PROPERTY ACREAGE: | 4.99 ACRES                                                      |



**SITE PLAN**  
1" = 20'

SITE PLAN Assessor's Parcel Number: **047-150-038** Permit # \_\_\_\_\_

Owner/Applicant Name: **LEO & CHRISTY GUNTHER**  
 Site Location: **6347 COUNTY RD. 20, ORLAND, CA 95963**  
 Contact Name: **LEO GUNTHER** Phone: **(530) 321-9057**  
 Flood Zone: **ZONE - X** Scale: **1" = 20'**  
 Scope of Work: **NEW HOME AS A 2ND RESIDENCE**  
 Zone: **AE-5**

RECORDING REQUESTED BY

TAX \$ 94.60 PAID

BIDWELL TITLE & ESCROW CO.

ORDER # 3-159018 -FLH

AND WHEN RECORDED MAIL TO

Name: Leo Gunther, Jr.  
Street Address: Rt. 3, Box 3709  
City & State: Orland, CA 95963

MAIL TAX STATEMENTS TO

Name: SAME AS ABOVE  
Street Address:  
City & State:

RECORDED IN OFFICIAL RECORDS  
OF GLENN COUNTY, CALIFORNIA  
AT THE REQUEST OF

NORTH STATE TITLE CO.

1992 OCT 21 AM 10:14

CAROLYN DAVIS  
GLENN COUNTY RECORDER

92-5680

FEE \$8

2  
Pages

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AP # 047-15-0-038

### Individual Grant Deed

THIS FORM FURNISHED BY BIDWELL TITLE & ESCROW COMPANY

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 94.60

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

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
VIRGINIA KENNEDY, an unmarried woman

hereby GRANT(S) to Leo C. Gunther, a single man

the following described real property in the Unincorporated area  
County of Glenn, State of California:

Legal Description Attached

Dated: October 14, 1992

Virginia Kennedy

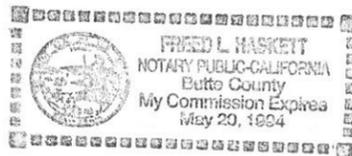
State of California }  
County of Butte } SS.

On October 19, 1992 before me, the undersigned, a Notary Public in and for said State personally appeared  
Virginia Kennedy

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 Fred L. Haskett



(This area for official notarial seal)

BTE-DED-05 (2500 2/92)  
7 PM 13 A-2

MAIL TAX STATEMENTS AS DIRECTED ABOVE

92-5680