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



Clay and Rhiannon Carlson 7380 Capay Ave. Orland, CA 95963

**RE:** Site Plan Review 2017-019, Carlson

Approval Notice APN: 037-060-004

January 9, 2018

To Clay and Rhiannon Carlson,

On December 15, 2017, the Glenn County Planning & Public Works Agency received your application for a Site Plan Review. This project is in the "AE-40" (Exclusive Agricultural) zoning district and is an allowed use with an approved Site Plan Review.

On January 9, 2018, the Glenn County Planning & Public Works Agency approved the Site Plan Review. Included with the Staff Report is a copy of the Conditions of Approval. <u>Please sign the Conditions of Approval where indicated and email or send to Glenn County Planning & Public Works Agency, 777 North Colusa Street, Willows, CA 95988.</u>

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

Sincerely,

Hether Ward Assistant Planner

hward@countyofglenn.net

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#### **STAFF REPORT**

DATE: January 9, 2018

TO: Di Aulabaugh, Deputy Director

FROM: Hether Ward, Assistant Planner

RE: Site Plan Review 2017-019, Carlson

"AE-40" Zoning District

#### Attachments:

- 1. Conditions of Approval
- 2. Agency Comments
- 3. Request for Review and Application
- 4. Assessor Parcel Map
- 5. Site Plan

#### 1 PROJECT SUMMARY

Clay and Rhiannon Carlson have submitted an application to construct a barn with overall dimensions of 48 ft. by 36 ft. The parcel is zoned "AE-40" Exclusive Agricultural (36-acre minimum parcel size) and is designated "Intensive Agriculture" in the Glenn County General Plan. The proposal is located at 7380 Capay Ave., Orland, CA 95963. This site is located on the north side of Capay Ave., east of 5<sup>th</sup> Ave., south of County Road 4, west of 4<sup>th</sup> Ave., and northeast of the City of Orland, in the unincorporated area of Capay in Glenn County, CA. The Assessor's Parcel Number (APN) for the 39.24 acre site is 037-060-004.

#### 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 Site Plan Review with the Findings as presented in the Staff Report and the Conditions of Approval as attached.

#### 2 ANALYSIS

The proposed project is consistent with the land use in this area. This portion of Glenn County is an agricultural area and the proposed project is a permitted use. A Site Plan Review is required prior to construction to ensure compliance with all the requirements of the Glenn County Code.

#### 2.1 ENVIRONMENTAL DETERMINATION

This project as proposed is not anticipated to introduce potentially significant impacts to the environment.

Site plan reviews are statutorily exempt 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).

Site plan reviews, outlined in Section 15.130 of the Glenn County Code, are deemed as a ministerial project within Glenn County Title 15, Unified Development Code (Title 15, Division 2, Part 1).

#### 2.2 GENERAL PLAN AND ZONING CONSISTENCY

The site is designated "Intensive Agriculture" in the Glenn County General Plan and is zoned "AE-40" (Exclusive Agricultural (36-acre minimum parcel size). The project to construct a barn and is in an area of existing agricultural uses and is a permitted use in the "AE-40" zone (Glenn County Code Chapter 15.330.030).

#### Permitted Uses (Glenn County Code §15.330.030):

The proposed structure is a 48 ft. by 36 ft. barn and is a permitted use under Glenn County Code §15.330.030.O. The structure is related to the agricultural use of the property and is permitted provided that the performance standards in Glenn County Code Division 4, Part 1 are met.

#### 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 agricultural storage building is consistent with surrounding land use because the area consists of agricultural uses and existing agricultural related structures. The proposal will not adversely affect surrounding uses in the area and will not adversely affect the General Plan.

#### 2.2.1 "AE" Exclusive Agricultural Zone (Glenn County Code Chapter 15.330):

#### Site Area (Glenn County Code §15.330.020):

The minimum parcel size for the "AE-40" zone is 36-acres. The parcel is 39.24± acres; therefore, the parcel meets the minimum parcel size for this zone and it is adequate in size and shape to accommodate the proposed project.

#### Maximum Building Height (Glenn County Code §15.330.060)

The proposed storage building has a height of approximately 14 feet, therefore it will not exceed the maximum height of 50 feet.

#### Minimum Yard Requirements (Glenn County Code §15.330.080):

The proposed structure has setbacks greater than 30 ft. for the front, sides and rear; therefore, meets the minimum yard requirements for agricultural zoning.

#### 2.3 GENERAL PROVISIONS

#### Flood Zone Designation:

Flood Zone "X" according to Flood Insurance Rate Map (FIRM) No. 06021C0200D, 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.

#### **Code Violations:**

No violations exist on the property, therefore the proposed building and Site Plan Review are compliant with Glenn County Code §15.130.050.F.

#### Fire Protection Regulations:

This project lies within the Capay Fire Protection District. The fire district was provided the application information regarding the proposal and provided the following comments:

#### Capay Fire Protection District [Condition A]

SEPTIC TANK. Any septic tank (existing or new) shall be located and a barrier provided such that responding fire apparatus will not drive over tank structure during fire ground operations. This may be accomplished by appropriate tank placement, permanent markers, landscaping, fencing, walkways or other decorative features that naturally inhibit operation of a motor vehicle over the tank structure.

#### Capay Fire Protection District [Condition B]

BURNING. A Capay Fire Protection District Burn Permit must be obtained prior to any burning of vegetative waste. CFPD Burn Permits may be obtained at the Capay Elementary School business office during normal business hours (7504 Cutting Avenue, Orland, CA 95963). All conditions and notification requirements indicated on the permit shall be followed.

#### **Environmental Health:**

The Glenn County Environmental Health Department was provided the application information and provided the following comments:

- 1. The proposed project parcel has existing onsite wastewater treatment systems, replacement areas and water wells.
- 2. The proposed barn is not approved for any sewage or gray water discharge.
- 3. The proposed barn shall not affect the onsite wastewater treatment systems or replacement areas.

#### **Public Works:**

The Glenn County Public Works Department was provided the application information regarding the proposal and responded with the following:

Public Works requirements, if any, will be addressed through the Encroachment Permit process.

#### 3 NOTICE TO APPLICANT/AGENT

This site plan review is not a building permit. It is the applicant's responsibility to secure the necessary permits in all affected federal, state, and local agencies and submit copies of such permits to the Planning & Public Works Agency.

If upon approval of this site plan review any problem, nuisance, or health hazard arises from the operation allowed by this review, the director shall determine the need to revise or modify the use or require additional conditions of approval.

In addition to the staff report and conditions of approval, the applicant's and his/her technical or project management representative's attention is directed to the attached memoranda from agencies reflecting their comments on reviewing the application. The items noted are a guide to assist in meeting the requirements of applicable government codes. The memoranda may also note any unusual circumstances that need special attention. The items listed are a guide and not intended to be a comprehensive summary of all codified requirements or site-specific requirements.

## 3.1 PERMIT ISSUANCE AND APPEAL PERIOD (GLENN COUNTY CODE §15.130.060)

Site plan review permits shall be effective upon issuance, unless within ten (10) calendar days of a decision by the Director, the decision is appealed as provided for in Section 15.050.010. In case an appeal is filed, the site plan review permit shall not have any force or effect until a decision is made by the Approving Authority on said appeal.

Site plan review permits shall not have any force or effect until the permittee acknowledges receipt thereof and has agreed in writing to each and every term and condition thereof.

#### 4 <u>FINDINGS</u>

In accordance with Glenn County Code, Section 15.130.050, the Planning Division hereby makes the following findings in approval (or conditional approval) of SPR 2017-019.

#### Finding 1

The proposed use is a permitted and allowed use in the zoning district.

#### Finding 2

The site for the project is adequate in size, shape, location, and physical characteristics to accommodate the proposed project.

#### Finding 3

There are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and storm drainage.

#### Finding 4

The project is in conformance with the applicable provisions and policies of Title 15 of the Glenn County Code and the Glenn County General Plan.

#### Finding 5

The county roads are reasonably adequate to safely accommodate the proposed project.

#### Finding 6

After searching county records, no violation of the Glenn County Code currently exists on the property.

#### **CONDITIONS OF APPROVAL**

#### Site Plan Review 2017-019

APN: 037-060-004

To construct a barn with overall dimensions of 48 ft. by 36 ft. with a maximum height of 14 ft. in the "AE-40" (Exclusive Agricultural) zoning district.

1. That the area of operation 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.

#### 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:		Dat	te:	
	Clay Carlson, landowner			
Signed:		Dat	te:	
	Rhiannon Carlson, landowner			



# COUNTY OF GLENN HEALTH & HUMAN SERVICES AGENCY

Christine Zoppi Director

Erin Valdez
Deputy Director
Administration

Amy Lindsey
Deputy Director
Behavioral Health

Bill Wathen
Deputy Director
Social Services

**Grinnell Norton**Deputy Director Public Health
Director of Nursing

Phone: 530-934-6102

530-934-6103

Fax:

Vacant
Deputy Director
Community Action

Environmental Health Department 247 N. Villa Avenue Willows CA 95988

Date: January 3, 2018

To: Hether Ward, Assistant Planner

Glenn County Planning & Public Works Agency

(Via Email)

From: Kevin Backus, REHS

Director, Glenn County Environmental Health Department

Re: Site Plan Review 2017-018, Carlson, APN 037-060-004 (Barn)

We have reviewed the application information for the project noted above and recommend it be found complete for further processing. We have the following comments:

- 1. The proposed project parcel has existing onsite wastewater treatment systems, replacement areas and water wells.
- 2. The proposed barn is not approved for any sewage or gray water discharge.
- 3. The proposed barn shall not affect the onsite wastewater treatment systems or replacement areas.

Please contact Environmental Health at 530-934-6102 with any questions on this matter.

#### Conditions of Approval

#### Site Plan Review

No. 2017-019

#### Clay & Rhiannon Carlson

Public Works requirements, if any, will be addressed through the Encroachment Permit process.

By: Michael Biggs Engineering Technician III 1/4/18

#### **CAPAY FIRE PROTECTION DISTRICT**

#### CONDITIONS FOR APPROVAL

**January 2, 2018** 

Site Plan Review 7380 Capay Ave., Carlson (SPR 2017-019)

#### **Capay Fire Protection District [Condition A]**

SEPTIC TANK. Any septic tank (existing or new) shall be located and a barrier provided such that responding fire apparatus will not drive over tank structure during fire ground operations. This may be accomplished by appropriate tank placement, permanent markers, landscaping, fencing, walkways or other decorative features that naturally inhibit operation of a motor vehicle over the tank structure.

#### **Capay Fire Protection District [Condition B]**

BURNING. A Capay Fire Protection District Burn Permit must be obtained prior to any burning of vegetative waste. CFPD Burn Permits may be obtained at the Capay Elementary School business office during normal business hours (7504 Cutting Avenue, Orland, CA 95963). All conditions and notification requirements indicated on the permit shall be followed.

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#### REQUEST FOR REVIEW

COUNTY DEPARTMENTS/DISTRICTS		STATE AGENCIES		
Glenn County Agricultural Con Glenn County Air Pollution Co. Glenn County Assessor Glenn County Building Inspect Glenn County Engineering & S Glenn County Environmental H Glenn County Sheriff's Departr Glenn County Board of Supervi Glenn County Counsel Glenn County Planning Commi Glenn LAFCO	ntrol District/CUPA or urveying Division lealth Department ment isors	<ul> <li>□ Central Valley Flood Protection Board</li> <li>□ Central Valley Regional Water Quality Control Board (RWQCB)</li> <li>□ CHP – Willows Office (GPA's, ZC's, and TSM's)</li> <li>□ Department of Alcoholic Beverage Control (ABC)</li> <li>□ Department of Conservation, Division of Land Resource Protection</li> <li>□ Department of Conservation, Office of Mine Reclamation (OMR)</li> <li>□ Department of Conservation, Division of Oil, Gas, and Geothermal Resources</li> <li>□ Department of Fish and Wildlife</li> <li>□ Department of Food and Agriculture</li> <li>□ Department of Forestry and Fire Protection (Cal Fire)</li> <li>□ Department of Housing and Community Development (HCD)</li> <li>□ Department of Public Health</li> <li>□ Department of Toxic Substances Control (DTSC)</li> <li>□ Department of Transportation (Caltrans)</li> <li>□ Department of Water Resources (DWR)</li> </ul>		
FEDERAL AGENCIES		☐ Office of the State Fire Marshall ☐ Public Utilities Commission		
☐ U.S. Army Corps of Engineers ☐ U.S. Fish and Wildlife Service ☐ U.S. Department of Agriculture ☐ U.S. Bureau of Reclamation - W				
<u>OTHER</u>				
□ AT&T     □ California Water Service Co. (Colifornia Association of RC&I City of Willows     □ Comcast Cable (Chico Office)     □ Community Services District:     □ Drainage District:     □ Enterprise Rancheria of Maidu Services Capay     □ Glenn County Resource Conser	D  Indians  vation District	<ul> <li>Northeast Center of the California Historical Resources Information System</li> <li>Pacific Gas and Electric Company (PG&amp;E)</li> <li>Paskenta Band of Nomlaki Indians</li> <li>Railroad:</li> <li>Reclamation District:</li> <li>School District:</li> <li>Special District:</li> <li>Tehama-Colusa Canal Authority</li> <li>UC Cooperative Extension Office</li> <li>Water/Irrigation District:</li> </ul>		
DATE:	December 26, 2	017		
PROJECT:	Site Plan Revie	w 2017-018, Carlson, Barn		
PLANNER:	Hether Ward, A	ssistant Planner		
APN:	037-060-004			

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



#### **REQUEST FOR REVIEW**

DATE: December 26, 2017

PROJECT: Site Plan Review 2017-018, Carlson, Barn

PLANNER: Hether Ward, Assistant Planner

APPLICANTS/

LANDOWNERS: Clay and Rhiannon Carlson

7380 Capay Ave. Orland, CA 95963 (530) 521-9058

ENGINEER: Northstar Designing Solutions

111 Mission Ranch Blvd., Suite 100

Chico, CA 95926 (530) 893-1600

PROPOSAL: Site Plan Review 2017-018, Carlson, Barn

The applicant has applied to construct a barn with overall dimensions of

48 ft. x 36 ft. with a height of approximately 14 ft.

LOCATION: The proposal is located at 7380 Capay Ave., Orland, CA 95963. This site

is located on the north side of Capay Ave., east of 5<sup>th</sup> Ave., south of County Road 4, west of 4<sup>th</sup> Ave., and northeast of the City of Orland, in

the unincorporated area of Capay in Glenn County, CA.

APN: 037-060-004 (39.24 acres)

ZONING: "AE-40" Exclusive Agricultural (36-acre minimum parcel size)

GENERAL PLAN: "Intensive Agriculture"

FLOOD ZONE:

Flood Zone "X" according to Flood Insurance Rate Map (FIRM) No. 06021C0200D, 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.

The Glenn County Planning Division is requesting comments on this proposal for determination of completeness, potential constraints, and/or proposed conditions of approval. If comments are not received by **FRIDAY, JANUARY 5, 2018**, it is assumed that there are no specific comments to be included in the analysis of the project. Comments submitted by e-mail are acceptable. Thank you for considering this matter.

#### **AGENCY COMMENTS:**

#### Please consider the following:

1.	Is the information	in the	application	complete	enough to	o analyze	impacts	and	conclude
	review?								

- 2. Comments may include project-specific code requirements unique to the project. Cite code section and document (i.e. General Plan, Subdivision Map Act, etc.).
- 3. What are the recommended Conditions of Approval for this project and justification for each Condition? When should each Condition be accomplished (i.e. prior to any construction at the site, prior to recording the parcel map, filing the Final Map, or issuance of a Certificate of Occupancy, etc.)?

SPR\_2017-019

# 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 SITE PLAN REVIEW (AGRICULTURAL)**

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

1.	Applicant(s):
	Name: Clay + Phiannon Carlson
	Address: 7380 Capay Ave Onant, CA 9596
	Phone:(Business) <u>\$30-50 1-9059</u> (Home)
	Fax: E-mail: VCSKincare 402 g mail cer
2.	Property Owner(s):
	Name: saw
	Address:
	Phone:(Business)(Home)
	Fax:E-mail:
3.	Engineer/Person who Prepared Site Plan (if applicable):
	Name:
	Mailing Address:
	Phone:(Business)(Home)
	Fax: E-mail:

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:
Mailing Address:
Request or Proposal:
Address and Location of Project: 7380 (a pay Ave
Current Assessor's Parcel Number(s): 037 - 060 - 004
Existing Zoning: A 5-40
Existing Use of Property: Nastwe
Provide any additional information that may be helpful in evaluating your proposal:

### **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: Cley artson Mianner Carlon
Print: CLAY CARISON Rhiannon (aulson
Date: 12-15-17
Date: 12-13-17  Address: 1380 CASAY AVE 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.
Signed: Cley Carlson Muanium (aulyn
Print: CLAY CARLSON Rhiannon Carlson
Date: 12-15-17
Address: 7380 CAPAY AVE ORIAND, CA 95963

#### CIOS ENCLOSED

RECORDING REQUESTED BY

Glenn County Title Company

Escrow No. 023449CK

Order No. 023449

AND WHEN RECORDED MAIL TO

Name

Clay Carlson and Rhiannon Carlson

Address City, State, & Zip

7378 Capay Avenue Orland, Calif. 95963 2006-7576 Recorded at the request of GLENN COUNTY TITLE CO 10/31/2006 10:25A Fee: 10.00 No of Pages:2

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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

#### INDIVIDUAL GRANT DEED

A.P.N037-060-004-9	,
The undersigned grantor(s) declare(s):  Documentary transfer tax is NODE  [D] computed on full value of property conveyed, or  [D] computed on full value less value of liens and encumbrances remains XX Unincorporated area: [] [D] City	ining at time of sale.
FOR A VALUABLE CONSIDERATION, receipt of which is hereby a Clay Carlson and Rhiannon Carlson, who acquired title as Rhiannon W	
hereby GRANT(S) to Clay Carlson and Rhiannon Carlson, Husband as	nd Wife as Joint Tenants
the following described real property in the Unincorporated Area, Cour	nty of Glenn, State of California:
See Exhibit "A" attached hereto and	d made a part hereof
Dated:October 18, 2006 STATE OF CALIFORNIA	
STATE OF CALIFORNIA COUNTY OF GLENN  SS.	01/1
on 10/26/06 before me, Shawn telix	Clay Carls
, Notary Public, personally appeared Clay Carlson and Rhiannon Carlson personally known to me	Clay Carlson
(or proved to me on the basis of satisfactory evidence) to be the	Rhiannon (aulson Rhiannon Carlson
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	SHAWN FELIX COMM. # 1632420 @
WITNESS my hand and official seal.	OLENN COUNTY  My Comm Expires JAN 18, 2010
Signature	
MAIL TAX	
STATEMENTS TO: [SAME AS ABOVE]  NAME ADDRESS	CITY, STATE & ZIP

Escrow No.: 023449CK Title Order No.: 023449

SMS Vision Form SDD04CA Rev. 05/10/96

#### EXHIBIT A

Lot 18 of Subdivision No. 1 of the Capay Rancho, as per the map filed in the office of the County Recorder of the County of Glenn, State of California, in Book 4 of Maps, at page 13 on March 13, 1917. EXCEPTING THEREFROM: an undivided 1/2 interest in all oil, gas, minerals and other hydrocarbon substances lying below a depth of 500 feet from the surface of the above described property, without the right of surface entry, as reserved in Deed from Helen B. Kirkpatrick, a widow, recorded May 13, 1991 as Document No. 91-2325. ALSO EXCEPTING THEREFROM: an undivided 1/2 interest in all, oil gas, minerals and other hydrocarbon substances lying below a depth of 500 feet from the surface of the above described property, without the right of surface entry, as reserved in Deed from Donald W. Deeds and Marlone Deeds, Husband and Wife as Community Property, Recorded April 18, 2002 as document No. 2002-2310. APN 037-060-004-9

> 2006-7576 Pg: 2/2

1"= 400"

07



NOTE - Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles Assessor's Map Bk.37 Pg.06 County of Glenn, Calif.



