

GLENN COUNTY
Planning & Community Development Services Agency

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



Mardy Thomas, Director

Devonn Friesen
5529 Highway 162
Willows, CA. 95988

RE: Home Occupation 2023-001, Friesen
APN: 018-020-044
Approval Notice

March 15, 2023

To Applicant,

On January 5, 2022 the Glenn County Planning & Community Development Services Agency received your application for a Home Occupation permit in order to conduct a coffee roasting company in a storage shed. This project is in the "AE-40" (Exclusive Agricultural Zone) zoning district and is an allowed use with an approved Home Occupation permit.

On March 15, 2023, the Glenn County Planning & Community Development Services Agency approved the Home Occupation 2023-001. Included with the Staff Report is a copy of the Compliance Requirements. Please sign the Compliance Requirements as indicated and return by email, or send to the Glenn County Planning & Community Development Services Agency, 225 N Tehama Street, Willows, CA 95988.

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,

Brandon Jennings
Assistant Planner
Bjennings@countyofglenn.net

GLENN COUNTY
Planning & Community Development Services Agency



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Willows, CA. 95988
530.934.6540
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Mardy Thomas, Director

STAFF REPORT

DATE: March 15, 2023
FROM: Brandon Jennings, Assistant Planner
RE: Home Occupation 2023-001
"AE-40" Exclusive Agricultural Zone

Attachments:

1. Compliance Requirements
 2. Application
 3. Maps
-

1 PROJECT SUMMARY

Devonn Friesen has applied for a home occupation permit in order to operate a coffee roasting company inside a proposed (SPR-2023-001) 12ft. by 20ft. (240 sq. ft.) storage shed. The structure will be used to roast coffee with the intent to sell.

The property consists of one residence. The parcel is zoned “AE-40” (Exclusive Agriculture, 36-acre minimum parcel size) and is designated “Intensive Agriculture” in the Glenn County General Plan.

The project is located south at 5529 Highway 162, north of County Road 60, west of Road Bb, east of the Tehama-Colusa Canal, and south of County Road 35, in the unincorporated area of Glenn County, California. The Assessor’s Parcel Number (APN) for the 15.1± acre site is 018-020-044.

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 recommends that the Deputy Director approve the Home Occupation with Findings presented in the Staff Report and the Conditions of Approval.

2 ANALYSIS

The proposed Home Occupation to conduct a Coffee Roasting business will help to ensure the continuation of farming in the area by providing a supplemental home occupation. A Home Occupation Permit is required prior to conducting business from home to ensure compliance with all the requirements of the Glenn County Unified Development Code, Chapter 15.78.

The Unified Development Code defines a home occupation as *any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of structure for dwelling purposes and which use does not change the character thereof or does not adversely affect the uses permitted in the same zone of which it is part* (Glenn County Code §15.020.020(H)(6)).

2.1 ENVIRONMENTAL DETERMINATION

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

Home occupation permits 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) & (b) (Ministerial Projects) state the following:

- (a) *Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.*
- (b) *In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:*
- 1) *Issuance of building permits.*
 - 2) *Issuance of business licenses.*
 - 3) *Approval of subdivision maps.*
 - 4) *Approval of individual utility service connections and disconnections.*

2.2 GENERAL PLAN AND ZONING CONSISTENCY

The site is designated “Intensive Agriculture” in the Glenn County General Plan and is zoned Exclusive Agricultural “AE-40” (36-acre minimum parcel size). A home occupation is a permitted use in the “AE-40” zone (Glenn County Code §15.33.030(L)).

The project site (APN: 018-020-044) is 15.1± acres. The site is adequate in size and shape to accommodate the proposed home occupation. The proposal will not adversely affect surrounding uses in the area and will not adversely affect the General Plan.

2.2.1 Home Occupation Standards (Glenn County Code Chapter 15.78)

Home occupations may be permitted in the “RZ”, “FA”, “AE”, “AT”, “RE”, “RE-NW”, “R1”, “RM”, “AP”, and “FS” zones providing the following standards are being met:

- A. *A Home Occupation Permit Application shall be submitted to the planning authority. The application was received on January 5, 2023.*
- B. *No person other than members of the family residing on the premises shall be engaged in such occupation when it is located in a Residential Zone. A maximum of two employees may be employed when the use is located in an agricultural zone. The home occupation is proposed within an agricultural zone and the resident is the employee.*
- C. *Not more than twenty-five (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation. The proposed home occupation will take place within a storage shed on the property and will not occupy the primary residence.*
- D. *A Conditional Use Permit shall be required for home occupations on parcels less than ten acres in size when the use will be located in a building other than the primary*

residential structure. The home occupation will be located within a storage shed on the property; however, the parcel is 15.1± acres.

- E. *An Administrative Permit and a Site Plan Review shall be obtained from the planning authority for home occupations on parcels of ten acres or more in size when the use will be located in a building other than the primary residential structure; an application has been submitted for a Site Plan Review, (SPR2023-001 and a Home Occupation Permit (HO2023-001).*
- F. *The home occupation may be conducted in a detached accessory building. The use will be located within a storage shed on the property.*
- G. *In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a nonresidential use. No exterior modifications of the building is proposed with this home occupation.*
- H. *No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot if the occupation is conducted in a single-family residence or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates a visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises. The nearest off premise residence is approximately 780 feet to the southeast.*
- I. *The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located. The property is located off Highway 162 and will create no pedestrian traffic or vehicular traffic in excess of what is customarily associated with the area.*
- J. *All maintenance or service vehicles and equipment, or any vehicle bearing any advertisement related to the home occupation or any other similar vehicle shall be garaged or stored entirely within a building or structure. Such vehicle shall not have more than two axles. No occupation identified vehicles are proposed with this home occupation.*
- K. *There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential or agricultural purposes as defined in the zone. The proposed home occupation does not require use of utilities or community facilities beyond that normal to the use of the property for residential or agricultural purposes.*
- L. *There shall be complete conformity with fire, building, plumbing, electrical and health codes and to all federal, state and County laws or ordinances. The Building Official, Environmental Health, Air Pollution, Certified Unified Program Agency (CUPA),*

Kanawha Fire Protection District and CAL-Fire have knowledge of and/or has made comment on the project. The applicant is required to meet all of the agency comments and requirements.

- M. *The sale of merchandise on the subject lot shall be directly related to and incidental to the home occupation. Retail sales of products not produced or processed on the premises shall be prohibited.* The applicant will only sell coffee that is roasted on the premises.
- N. *All equipment and materials storage areas adjacent or in any residential zone shall be screened by walls, fences, or landscaping to a height of at least six (6) feet.* The project is not in a residential zoning district and there will be no outdoor storage.
- O. *Hours of operation shall be limited so as not to interfere with the character of the neighborhood and shall be set by the director. Hours of operation in a Residential Zone shall be between 8:00 A.M. and 5:00 P.M. Monday through Friday. Hours of operation in an Agricultural Zone shall be between 7:00 A.M. and 7:00 P.M. seven days per week.* The proposed home occupation will be located within a storage shed located on the property. The home occupation is proposed within an Ag zone. The applicant has reviewed the Chapter 15.78 standards, including hours of operation and indicated that the limits will not be surpassed.
- P. *One on-site sign is permitted advertising the home occupation, not to exceed two (2) square feet in total aggregate area. No lighted signs are allowed.* The applicant has not proposed a sign at this time.
- Q. *Only those buildings or parking areas as specifically approved may be utilized in the conduct of the home occupation.* The proposed home occupation will be operated by the resident onsite. No new parking areas are planned.
- R. *A minimum of one (1) parking space shall be provided for any home occupation requiring customers to visit the site in addition of the parking requirements of the principal residence;* No additional parking areas will be needed at this time, if in the future customers use the property dedicated parking will be required.
- S. *The applicant for a home occupation shall submit evidence that the proposed operation meets the requirements of the Glenn County Health Department at the time the application is submitted to the planning authority.* The Glenn County Environmental Health Department has commented that the proposed roasted coffee business will require a food facility plan check and food facility permit from the EHD prior to operation or (state equivalent of).

- T. The director, or his representative, shall have the right to inspect the premises at any time in order to ensure compliance with this Code and with the Conditions of Approval. The applicant is hereby advised of this condition.*
- U. The home occupation shall conform with the development standards in the applicable zoning district and all other requirements of the Glenn County Code and State and Federal Laws. This home occupation will not result in new development. This project shall conform to all regulations as stated above.*
- V. All uses shall be enclosed within a building or completely screened from public view. The proposed home occupation will take place within a 240 sq. ft. storage shed as indicated on the Site Plan (SPR2023-001).*
- W. The building for the home occupation and the residential dwelling, together, shall not exceed the maximum lot coverage allowed in the General Plan for the land use designation. The property in discussion is 15.1 acres in size, the percent of lot coverage is below the permitted maximum.*
- X. The number of customers coming to a home occupation shall be limited to five (5) per day. The applicant is hereby advised of this condition.*
- Y. That no home occupation permit shall be issued for automobile, truck, or heavy equipment repair. This type of business as determined by the director shall be permitted only in the individual zoning districts where it is allowed. The home occupation is not for automobile, truck, or heavy equipment repair.*
- Z. Owners of home occupations are notified that if the business grows and cannot meet the requirements of this code section in the future, they may have to apply for a Conditional Use Permit for the business or may have to relocate the business to a zone where it is permitted depending on the regulations of the individual zoning district. The proposed business will operate inside of a storage shed and will be required to apply for a Conditional Use Permit and/or move to a new location if business growth cannot meet the requirements of the Glenn County Home Occupation Code.*

3 PUBLIC BENEFIT

There is a public interest in promoting home-based businesses. The proposed home occupation will occur within a storage shed, located on the property. Compliance with home occupation standards will ensure that the public will not be adversely impacted.

4 NOTICE TO APPLICANT

It is the applicant's responsibility to secure the necessary permits in all affected federal, state, and local agencies. If upon approval of this home occupation permit, if any problem, nuisance, or health hazard arises from the operation allowed by this permit, the Director shall determine the need to revise or modify the use or require additional Compliance Requirements or Conditions of Approval.

5 FINDINGS

Finding 1

The granting of this home occupation permit will allow a use that is conducted within a storage shed, located on the property.

Finding 2

The granting of this home occupation permit will allow a use that is incidental and secondary to the residential use of the property.

Finding 3

The granting of this home occupation permit will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity, because it will be located within a detached storage shed and the home occupation standards required by Section 15.78.020 of the Glenn County Code are required to be met.

Finding 4

The granting of this home occupation permit will not adversely affect the General Plan of Glenn County because it does not change the primary use or character of the property, does not adversely affect the uses permitted in the Exclusive Agricultural Zone or the policy stated in the Intensive Agricultural land use designation of the General Plan.

COMPLIANCE REQUIREMENTS

Home Occupation 2023-01, Friesen

**Coffee Roasting Business/
Storage Structure**

APN: 018-020-044

Compliance Requirement:

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 & Community Development Services Agency.
2. Prior to the operation of the Home Occupation permit the structure is to be final permitted and all agency requirements are to be completed. Evidence of requirements completion is to be submitted to the Planning Division by the applicant.
3. These Compliance Requirements are in addition to, and in conjunction with, the requirements as listed in the Site Plan Review 2023-001, Friesen.
4. The proposed roasted coffee business will require a food facility plan check and food facility permit from the EHD prior to operation (or state equivalent of).

Acknowledgment:

I hereby declare that I have read the foregoing requirements that they are in fact the requirements 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.

Signature: _____ Date: _____

Devonn Friesen, Applicant/Landowner

HO _____

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

APPLICATION FOR HOME OCCUPATION

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

1. Applicant(s):

Name: Devonn Friesen

Mailing Address: 5529 Hwy 162

Phone:(Business) 530-330-9535 (Home) _____

Fax: _____ E-mail: dmf.rc93@gmail.com

2. Property Owner(s):

Name: Devonn Friesen

Mailing Address: 5529 Hwy 162

Phone:(Business) 530-330-9535 (Home) _____

Fax: _____ E-mail: dmf.rc93@gmail.com

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

Name: Devonn Friesen

Mailing Address: 5529 Hwy 162

Phone:(Business) 530-330-9535 (Home) _____

Fax: _____ E-mail: dmf.rc93@gmail.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: _____

Mailing Address: _____

5. Request or Proposal:

I am requesting approval to roast coffee with intent
to sell in proposed 12' by 20' shed.

6. Address and Location of Project: 5129 Hwy 162 Willows, CA 95988

7. Current Assessor's Parcel Number(s): AE - 40

8. Existing Zoning: AE

9. Existing Use of Property: Residential dwelling

10. Provide any additional information that may be helpful in evaluating this 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: Devonn Friesen

Print: Devonn Friesen

Date: 3-29-22

Address: 5529 Hwy 162 Willows, CA 95988

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: Devonn Friesen

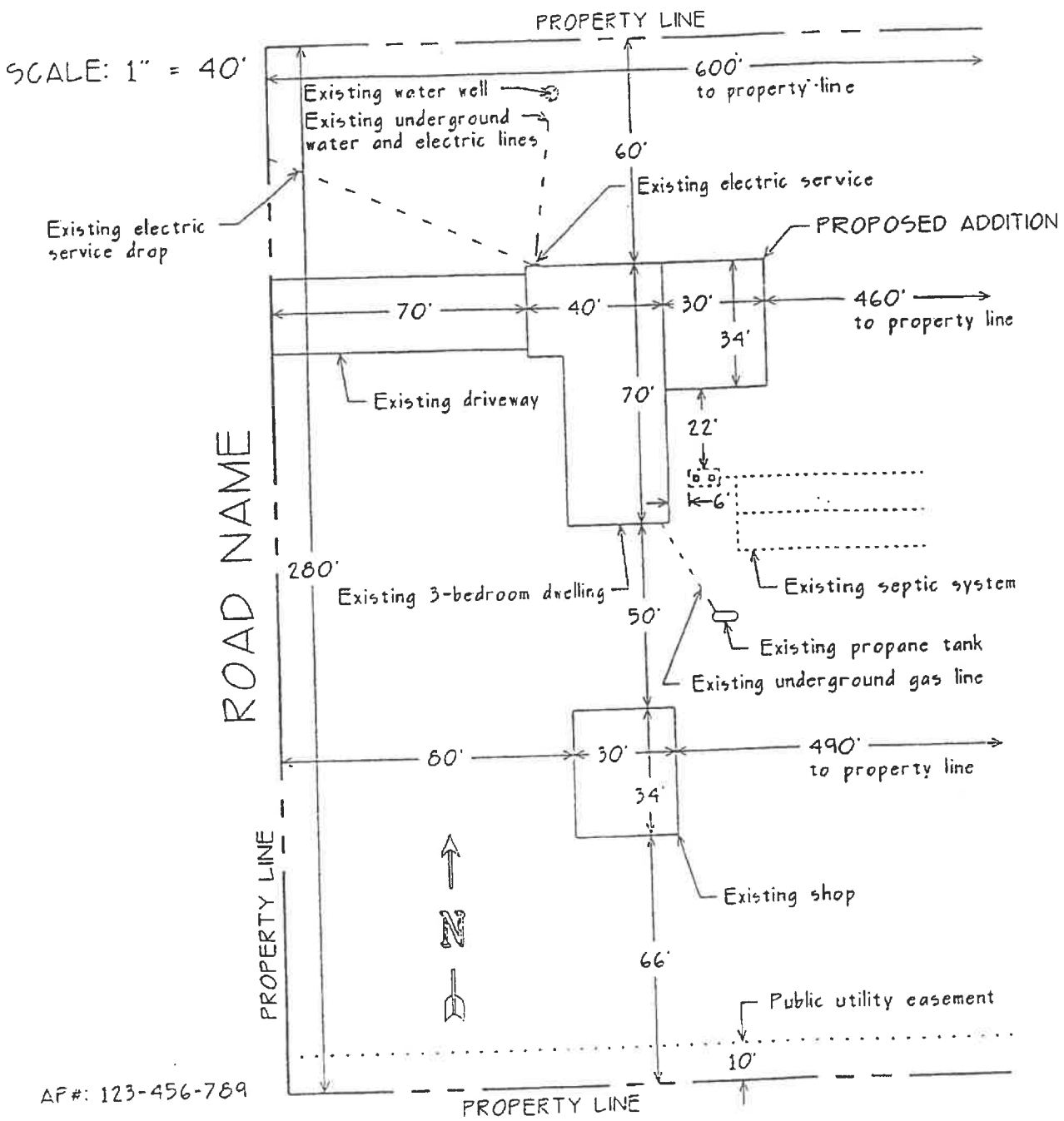
Print: Devonn Friesen

Date: 3-29-22

Address: 5529 Hwy 162 Willows, CA 95988

EXAMPLE OF A PLOT PLAN

Must be drawn to 1" = 40' or 1" = 20' scale



- Location and distance between proposed and existing buildings-
- Building setbacks from property lines-
- Location of sewage systems (proposed or existing), own water supply or well location -
- Easements (roads or utility)-
- North direction, scale and street names-

Make a complete plot plan even if you are only building an addition to an existing building. Show accessory buildings as well as the proposed addition, as this is important in determining your compliance with lot coverage regulations.



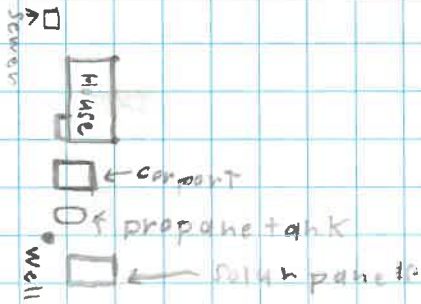
Scale 1" = 120'

AE-40

SS29 HWY 162
Willows, CA

1.5 Acres

Service pole
Garden shed



151 ACRES AE-40

↑
N

5529 HWY 1621
WILLOWS, CA

Scale 1" = 20'

To property line
151'

Septic

Electrical service

Deck

House

To

Electrical Service

205'
To property line

Porch

Water line

Sunport

24'
60'

Proposed tank

Water Well

To property line
150'

Proposed
Cable
Routing shed

Proposed
Electrical

Solar
Panels