

GLENN COUNTY
Planning & Community Development Services Agency

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



Mardy Thomas, Director

Edward and Christine Vonasek
6247 County Road 10 ½
Orland, CA 95963

RE: **Home Occupation 2023-002, Vonasek**
 APN: 044-280-100
 Approval Notice

November 20, 2023

To Applicants,

On October 23, 2023, the Glenn County Planning & Community Development Services Agency received your application for a Home Occupation permit in order to operate an existing portable toilet service business. This project is in the "RE-2" (Rural Residential Estate) zoning district and is an allowed use with an approved Home Occupation permit and conducted in compliance with the Glenn County Unified Development Code, Chapter 15.78.

On November 20, 2023, the Glenn County Planning & Community Development Services Agency approved the Home Occupation Permit. 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.

Sincerely,

Courtney Paget
Assistant Planner
cpaget@countyofglenn.net

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 20, 2023
FROM: Courtney Paget, Assistant Planner
RE: **Home Occupation 2023-002, Vonasek**
"RE-2" Rural Residential Estate Zone

Attachments:

1. Compliance Requirements
 2. Application and Narrative
 3. Site Plan
-

1 PROJECT SUMMARY

Edward and Christine Vonasek have applied for a home occupation permit in order to permit and operate an existing portable toilet cleaning service business from their residential property. The business will be cleaning portable toilets at the customer's location and safely transporting waste from the farming fields to a regulated provider.

The property consists of one residence. The parcel is zoned "RE-2" (Rural Residential Estate Zone, 1.7-acre minimum parcel size) and is designated "Suburban Residential" in the Glenn County General Plan.

The project is located at 6247 County Road 10 ½, north of County Road 200 (Newville Road), west of County Road G (Walnut Ave.), east of County Road FF (Cedar Avenue), and south of County Road 9, in the unincorporated area of Glenn County, California.

The Assessor's Parcel Number (APN) for the 2.21± acre site is 044-280-100.

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 ANALYSES

The proposed Home Occupation is for a business to provide farm workers with off-premises portable restrooms. There is no processing, collection, or storage of waste onsite. Up to two trucks depart between 7-8 a.m., and return approximately 5-6 p.m. 4-5 days a week, with up to three trips per day to the residence. The storage area includes approximately 30 portable toilets.

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 §15.02.020(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 “Suburban Residential” in the Glenn County General Plan and is zoned “RE-2” (1.7-acre minimum parcel size). A Home Occupation is a permitted use in the “RE-2” zone (Glenn County Code §15.35.020).

The project site (APN: 044-280-100) is 2.21± 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.

The Home Occupation business must maintain compliance with the requirements of Glenn County Unified Development Code, Chapter 15.78, or be required to apply for a Conditional Use Permit, or relocate the business to a zone where it is permitted.

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 October 23, 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 within a rural residential zone and the three members of the family residing on the premises are the employees.*
- 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. According to the application narrative, the office and bookkeeping will be conducted within a 10 foot by 12 foot room within the residence, primarily to generate invoices and file storage. The portable toilet servicing operations are conducted offsite. The storage of equipment is on the premises.*
- 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 is conducted within the office residence, and off-premises. No work other than vehicle loading occurs onsite. Approximately 30 portable toilets are stored behind the residence, in order to not disrupt service for off premises costumers. According to the included site map, the applicant proposes a fenced area to screen or restrict visibility of all equipment and vehicles and maintain the residential environment prescribed by zoning.*
- 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 Home Occupation Permit (HO2023-002), the property is less than 10 acres, and the use will not be located in a building other than the residence, and therefore does not require a Site Plan Review.*
- F. The home occupation may be conducted in a detached accessory building. The use will be located within a proposed fenced storage area in back of 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 residence or other buildings are being proposed with the home occupation other than fencing to screen portable toilets and vehicles.*
- 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 home occupation is not expected to cause impacts as listed. Storage will be located within a proposed fenced area in back of the property.*

- 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 occupation uses two flatbed trucks with 1 to 3 trips during peak seasons for restocking supplies. There are no customers or visitors related to the business at the residence.
- 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.* The occupation uses two flatbed trucks with two axles and will be stored in the garage or within fencing behind the residence to be out of sight while not in use at the property.
- 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, and Code Enforcement have knowledge of and/or made inspection of the business. 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 not be selling any products on the property, as it is an off-premises service being provided.
- 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 storage for the business will be behind the residence in an enclosed six-foot fenced area.

Compliance Requirement:

An opaque fence to a height of at least six (6) feet screening all vehicles, equipment, and storage (located behind the residence and not to exceed 50 ft by 80 ft) shall be completed within 30 days of approval of the Home Occupation permit. Evidence of completion shall be submitted to the Planning Division.

- 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 fenced storage area located on the property. The home occupation is proposed within a Residential 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(s) onsite. The parking area is planned to be behind the residence.
- 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 customers visit the residence; therefore, customer parking is not 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 inspects the vehicles for compliance with regulations.
- 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 an office in the residence and storage will occur in a 6-foot fenced area behind the residence. General operations occur off the premises. As a Compliance Requirement, the fence shall be completed within 30 days of approval of the Home Occupation permit.
- 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 2.21± 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. There will be no customers on the property.*
- 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 the residence with storage and parking within a fenced area 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 an office in the residence and a fenced storage area, 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 in an office in the residence and a fenced storage area 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 operated within the residential office and storage will be located within a fenced area 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, and does not adversely affect the uses permitted in the Rural Residential Estate Zone or the policy stated in the Suburban Residential land use designation of the General Plan.

COMPLIANCE REQUIREMENTS

Home Occupation Permit 2023-002, Vonasek

6247 County Road 10 ½

APN: 044-280-100

A Home Occupation Permit to Edward and Christine Vonasek in order to operate an existing portable toilet cleaning service business from their residential property in the RE-2 zoning district.

1. An opaque fence to a height of at least six (6) feet screening all vehicles, equipment, and storage (located behind the residence and not to exceed 50 ft by 80 ft) shall be completed within 30 days of approval of the Home Occupation permit. Evidence of completion shall be submitted to the Planning Division.

2. Operations, other than office work and storage, shall occur off the residential premises.

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: _____

Edward Vonasek (landowner/operator)

Date

Signed: _____

Christine Vonasek (landowner/operator)

Date

HO 2023-001

GLENN COUNTY
PLANNING AND COMMUNITY DEVELOPMENT SERVICES AGENCY
225 North Tehama Street
WILLOWS, CA 95988
(530) 934-6540
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: EDWARD AND CHRISTINE VONASEK

Mailing Address: 6247 COUNTY RD 10 1/2

Phone:(Business) (530) 865-1020 (Home) (530) 624-0144

Fax: N/A E-mail: NORTHVALLEYPORTABLES@GMAIL.COM

2. Property Owner(s):

Name: EDWARD AND CHRISTINE VONASEK

Mailing Address: 6247 COUNTY RD 10 1/2

Phone:(Business) (530) 865-1020 (Home) (530) 624-0114

Fax: _____ E-mail: _____

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

Name: _____

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: EDWARD VONASEK

Mailing Address: 6247 COUNTY RD 10 1/2, ORLAND, CA 95963

5. Request or Proposal:

CONSIDER 6247 COUNTY RD 10 1/2 FOR A HOME OCCUPATION PERMIT. SEE ATTACHED REQUEST.

6. Address and Location of Project: 6247 COUNTY RD 10 1/2 ORLAND

7. Current Assessor's Parcel Number(s): 044-280-100-000

8. Existing Zoning: R1 XX

9. Existing Use of Property: RESID. SINGLE FAMILY

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


WE UTILIZE OUR HOME OFFICE AREA AS A BAY FOR OUR MOBILE BUSINESS. WE STORE UNITS FOR AG USAGE ONSITE. SEE ATTACHED LETTER.

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:  * Christine Vonasek

Print: EDUARDO VONASEK Christine Vonasek

Date: 10/21/23

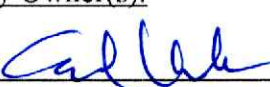
Address: 6247 COUNTY RD 10 1/2, ORLAND CA 95963

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:  * Christine Vonasek

Print: EDUARDO VONASEK Christine Vonasek

Date: 10/21/23

Address: 6247 COUNTY RD 10 1/2 ORLAND CA 95963



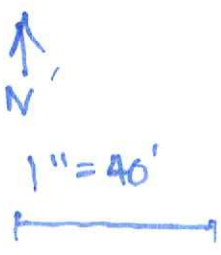
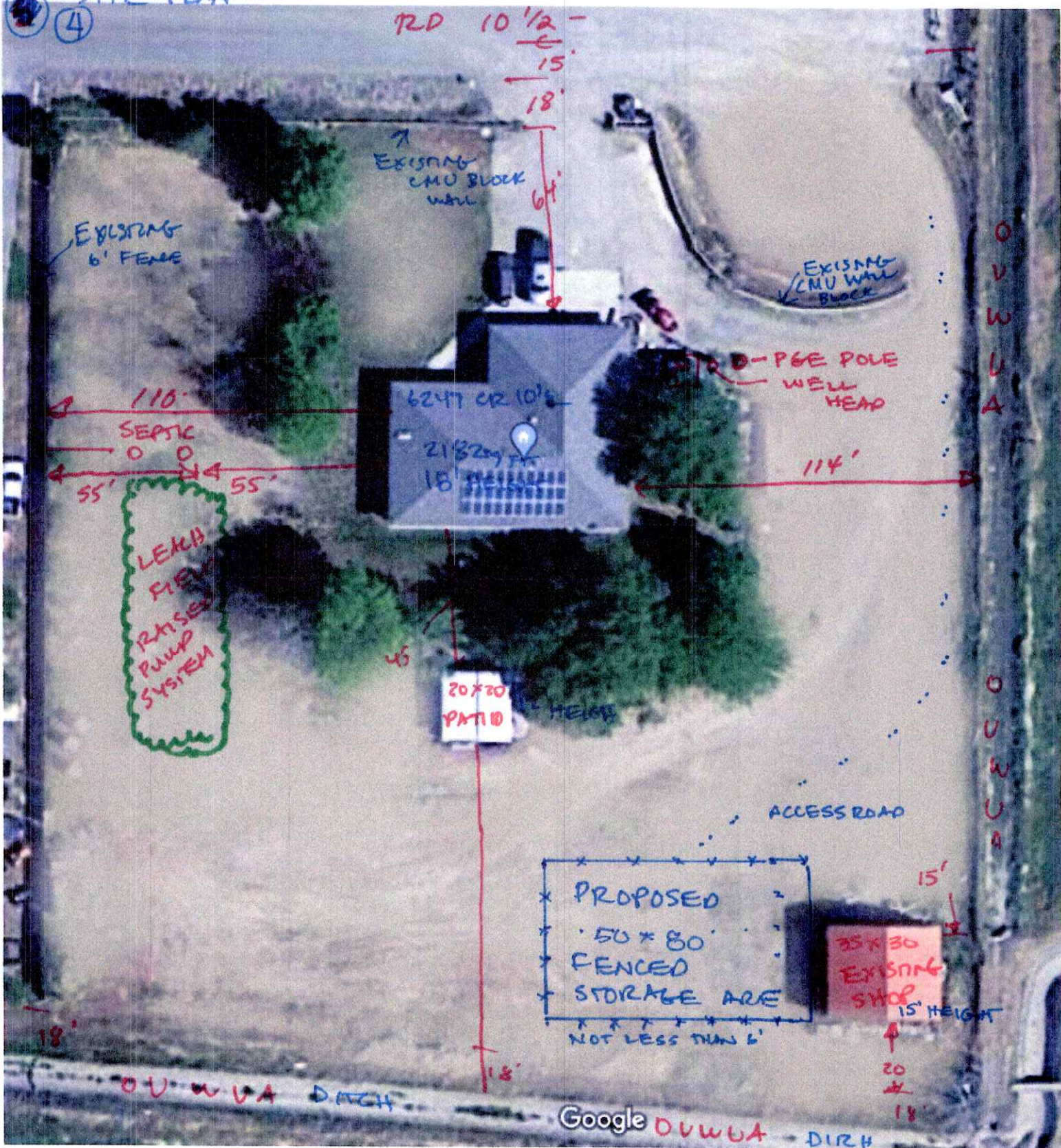
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ParcelQuest www.parcelquest.com (888) 217-8999

SITE PLAN

④



OWNERS & APPLICANTS
 VONASEK, EDWARD J & CHRISTINE M
 6247 COUNTY RD 10 1/2
 ORLANDO FL 32817
 530 624-0114-E
 530 624-0144-C

PARCEL # 044-280-100-000
 APN
 - 2.21 AC.

KEY
 .. ACCESS ROAD
 * PROPOSED FENCE AREA