

COUNTY OF MODOC PLANNING COMMISSION



STAFF REPORT FOR June 30, 2020

203 W. 4TH STREET
ALTURAS, CALIFORNIA 96101
(530) 233-6406 OFFICE
(530) 233-6420 FAX



COUNTY OF MODOC
PLANNING DEPARTMENT

MODOC COUNTY PLANNING COMMISSION
AGENDA
TUESDAY JUNE 30, 2020
10:00 AM

Planning Commissioners
James Laacke, District 1
Greg O'Sullivan, District 2
Brian Cox, District 3
Jim Hays, District 4
Dennis Fanning, District 5

Interim Director – Sean Curtis

Notice of Temporary Procedures for Planning Commission Meetings

Pursuant to California Governor Gavin Newsom's Executive Order N-25-20 & N-29-20 issued on March 12, 2020 and March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, the County of Modoc will be enacting social distancing procedures for the Planning Commission Meetings to members of the public and the County staff.

To protect the public, Modoc County staff, and the Planning Commissioners, members of the public are encouraged to participate in Planning Commission meetings in the following ways:

Public Comment

The Planning Commission will be accepting alternate methods of public comment, as well as public comment on specific agenda items in the following ways:

♦ **Email Public Comment**

Public Comment can be submitted via email to the Planning Department at planning@co.modoc.ca.us. All comments must be received by 5:00 p.m. on Monday, June 29, 2020 to be entered into the record. The e-mail must identify the agenda item the public member wishes to comment on and the content must remain within the ten-minute time limit.

♦ **Written Public Comment**

Written comments and supporting information should be addressed to the Modoc County Planning Department and mailed to 203 West 4th St., Alturas, CA 96101.

1. **Call to Order**
2. **Approval, Deletions or Modifications to the Agenda**
3. **Public Forum** - Members of the public may address the Commission on matters under its jurisdiction which are not on the agenda. The Commission may limit the public comment to ten minutes. The Commission may not render any decision other than those items that are contained on this agenda; the public may request an item to be placed on a subsequent agenda.

PUBLIC HEARINGS

4. **UP2020-02 (Duren)** – The Project Applicants are requesting a Use Permit to place a Poly High Tunnel Greenhouse on a vacant lot to grow vegetables and herbs. The project site is zoned Residential High Density (RH) and the General Plan is Rural Residential (RR). The proposed project is located approximately 7.6 miles NE of the township Adin on County Road 198; T.40N. R 9E. Section 24, M.D.B. &M (Assessor Parcel Number 018-481-019). Applicants Danny & Debra Duren

- a) Consider Resolution 2020-03 to approve and grant a use permit to place a poly-high tunnel greenhouse on a vacant lot to grow organic, leafy greens, and culinary herbs (UP2020-02) to Danny & Debra Duren.

5. **Planning Director's Report**

6. **Adjourn**

Per Government Code Section 65009 (b)(2), "if you challenge the action described in this notice in court, you may be limited to raising only those issues you or someone raised at the public hearing described in this notice, or in written correspondence to the Planning Commission at, or prior to, the public hearing."

Staff reports and project files are available for review at the Planning Department and online at <http://modocountyca.igam2.com/citizens/Default.aspx>. Comments may be addressed to the Planning Director, 203 W. 4th St., Alturas, CA 96101, or call (530) 233-6406.

APPEALS: Every appeal filed pursuant to Chapter 18:144 of the Modoc County Zoning Ordinance shall be made in writing including the grounds therefore, and shall be received by the appropriate county office within ten days from the date the action which is subject of the appeal is taken.

DECLARATION OF POSTING OF AGENDA

I hereby certify that this agenda was posted at least 72 hours prior to the regular meeting or at least 24 hours prior to the special meeting.

Date Agenda Posted: June 25, 2020

Location Agenda Posted: Online, Courthouse Lobby in the County Courthouse on Court Street, Alturas, CA; Planning Department Bulletin Boards at 203 W. 4th Street, Alturas, CA 96101, and Courthouse Annex.

MODOC COUNTY PLANNING COMMISSION

STAFF REPORT FOR JUNE 30, 2020

DUREN USE PERMIT

BACKGROUND INFORMATION:

PROJECT NUMBER	UP2020-02
OWNER	Danny and Debra Duren
APPLICANT/REPRESENTATIVE	Danny and Debra Duren
REQUEST TYPE	Use permit for a Poly High Tunnel Greenhouse
DISTRICT NUMBER / SUPERVISOR	V/Geri Byrne
ASSESSOR'S PARCEL NO.	018-481-019
TOWNSHIP AND RANGE	T. 40N, R. 9E, Section 24
LOCATION	County Road 198, approximately 7.6 miles NE of Adin, CA
PARCEL SIZE	50,529 square feet
EXISTING ZONING	Residential High Density
GENERAL PLAN DESIGNATION	Rural Residential
EXISTING LAND USE	Vacant lot with a barn

SURROUNDING ZONING AND LAND USE:

	ZONING	GENERAL PLAN
NORTH	Residential High Density	Rural Residential
SOUTH	Residential High Density	Rural Residential
EAST	Residential High Density	Rural Residential
WEST	Residential High Density	Rural Residential

PROPOSAL:

Danny and Debra Duren are requesting a Conditional Use Permit to place a poly High Tunnel Greenhouse on their vacant lot in order to grow vegetables and herbs hydroponically. The lot borders one of several lots they own. The proposed High Tunnel would be 30 feet wide and 96 feet long. Water would be supplied from the well on the neighboring lot they live on and stored in a 550 gallon tank. There will be little ground disturbance. This use is allowed within Residential High Density zoning with a Use Permit. This project would include the permitting of power not usually allowed on a vacant lot. There will be no retail sales on site. The surrounding landowners have been informed of the proposed project and meeting.

CEQA:

This project falls under Categorical Exemptions 15304 Minor Alterations to Land, Class 4, which consists of minor public or private alterations in the conditions of land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes included Subsection E which states "Minor temporary use of land having negligible or no permanent effects on the environment..."

RECOMMENDATION:

Staff recommends approval of the proposed Use Permit with the following conditions:

1. All development, activities and operations must meet all applicable federal, state and county requirements.
2. This use permit is issued in accordance with Chapter 18.128 of the Title 18 Zoning Ordinance.
3. Applicants must obtain any needed encroachment permits from the Modoc County Road Department.
4. Power is permitted for this parcel for the sole use of this permitted activity. Cessation of the permitted activity will trigger the disconnection of electrical service.
5. There are to be no retail sales on site.
6. Signage must be in accordance with Code Section 18.110.070.
7. Any future development beyond the permitted project description will require a revised use permit.
8. The owner(s), permittee(s) and members of the operation shall indemnify and hold harmless the County and its agents, officers, elected officials and employees for any claims, damages or injuries brought by adjacent or nearby property owners or other third parties due to the operations and for any claims brought by any of their clients for problems, injuries, damages or liabilities of any kind that are related to the conditional land use for which this permit is granted.

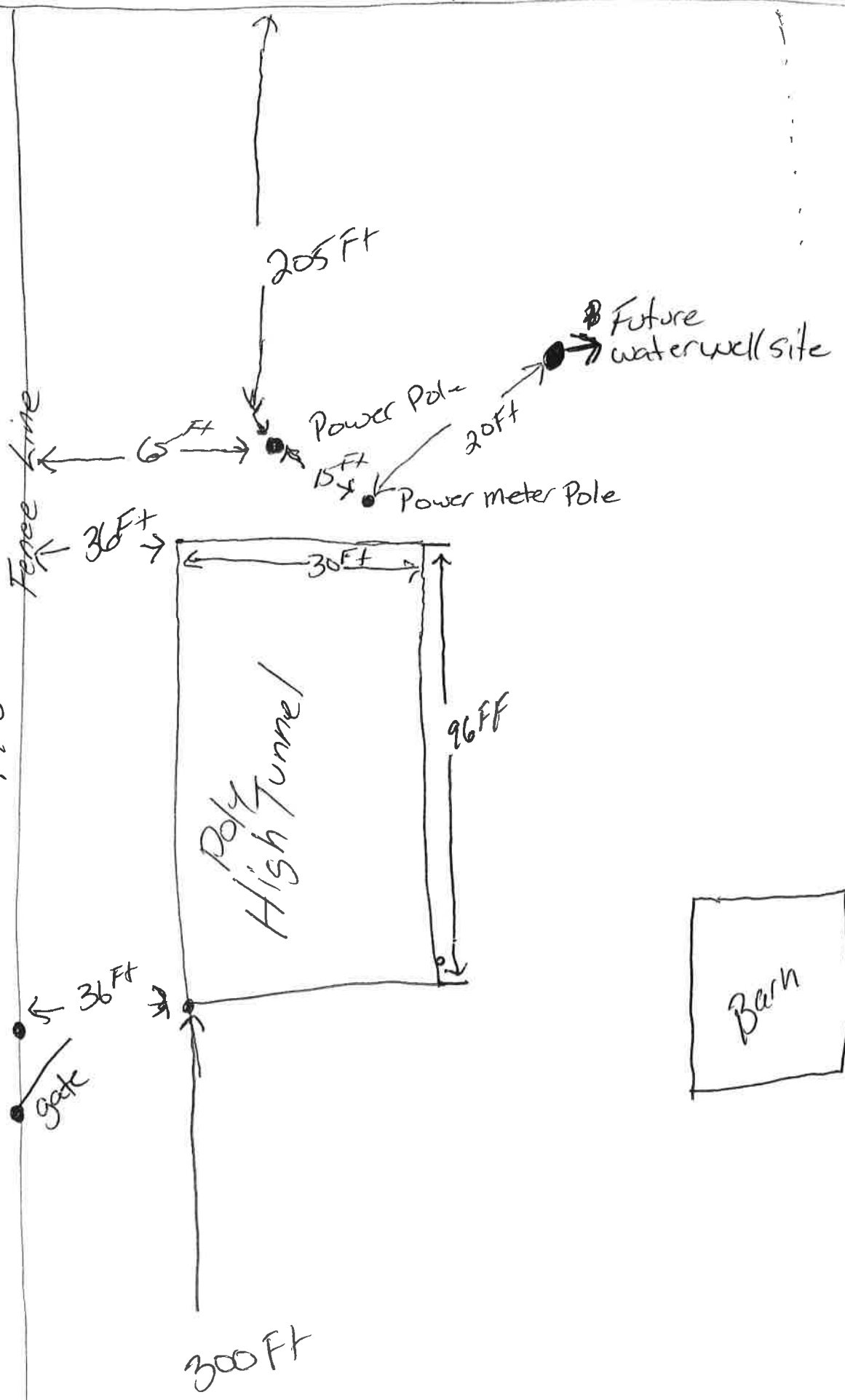
Our goal is to provide fresh organically grown; hydroponic, chemical free leafy greens and culinary herbs to the Valley and surrounding communities at an affordable price year round.

We will have a 550 gallon water tank we will be using as our water source and will be using well water from our home.

We will not be conducting business on site. We will be selling at local farmers markets and delivering our produce.

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**COUNTY OF MODOC
PLANNING & BUILDING SERVICES**

203 W. 4th Street
Alturas, California 96101
(530) 233-6406 Office

Interim Director
Sean Curtis

Building Official
Dominic Budmark

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Modoc County Planning Commission will hold a public hearing in the Planning Department Conference Room, 203 W. 4th St., Alturas, California, 96101 for consideration of the following project:

Project Title: Danny and Debra Duren
Project Number: UP2020-02

**TENTATIVE DATE OF PUBLIC HEARING FOR PLANNING COMMISSION
REVIEW:**

DATE: JUNE 30, 2020
TIME: 10:00 AM

Project Description: The Project Applicants are requesting a Use Permit to place a Poly High Tunnel Greenhouse on a vacant lot to grow vegetables and herbs. The project site is zoned Residential High Density (RH) and the General Plan is Rural Residential (RR). The proposed project is located approximately 7.6 miles NE of the township Adin on County Road 198; T.40N. R 9E. Section 24, M.D.B.&M (Assessor Parcel Number 018-481-019). Project Applicants: Danny & Debra Duren

Notice is hereby given that comments and supporting information will be received during the Public Hearing. Written comments and supporting information should be addressed to the Modoc County Planning Department at the above address or submitted via email to planning@co.modoc.ca.us. Per government code Section 65009 (b) (2), " if you challenge the action described in this notice in court, you may be limited to raising only those issues you or someone raised in written correspondence delivered to the Modoc County Planning Department"



Sean Curtis, Interim Planning Director



Date



Sections:

18.36.010 - Purpose.

The purpose of an RH zone is to promote the health, safety and general welfare by providing sufficient space in appropriate locations for residential development of all densities to meet the varying housing needs of the existing and expected future population, and to provide appropriate space for public and quasi-public uses and other private uses necessary to serve the needs of the nearby residents, when such uses are compatible with residential uses. The regulations applicable to the RH zone are necessary to protect residential areas against fire, explosion, toxic and noxious substances, radiation, and other hazards, and against offensive noise, odors, vibrations, smoke, electronic interference and other objectionable influences.

(Ord. 236-73 Exh. A(part), 1991)

18.36.020 - Regulations applicable.

The regulations set out in this chapter shall apply in all RH zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.110 of this title. The regulations in the AR zone shall combine with the RH zone in every location in which the RH zone is applied.

(Ord. 236-73 Exh. A(part), 1991)

18.36.030 - Uses permitted.

- A. One one-family dwelling and accessory uses, or one two-family dwelling when the minimum lot size is met;
- B. Recreational facilities incidental to a planned development, such as a swimming pool, tennis courts, or clubhouse;
- C. Public utilities necessary in the locations proposed to support residential uses, when compatible in a residential setting. Such uses are generally located and conducted within a building or completely screened from view, do not emit noise, electronic interference, or other influences detectable at the property boundary, and do not occupy more than one-half acre;
- D. Public uses and quasi-public uses which are conducted within a building, primarily serve the immediate area, and are compatible in the residential setting in which they are located; neighborhood park;
- E. Residential care facility (small);
- F. Day care center for adults and children (small). For family day care (children) use permit conditions are restricted to the provisions of Section 1597.46 of the California Health and Safety Code;
- G. Supportive housing consistent with requirements of the county's general development standards, chapter 18.110;
- H. Transitional housing consistent with requirements of the county's general development standards, chapter 18.110;

- I. Manufactured homes (18.100.050-1);
- J. One accessory unit when the lot has a primary dwelling unit (18.100.010-6);
- K. Multiple-family housing with a maximum density of 13 units per acre when both public water and sewer service is provided in accordance with the general plan (18.110.090);
- L. Similar uses (18.100.010).

(Ord. No. 236-146, 12-12-2017; Ord. 236-73 Exh. A(part), 1991)

18.36.040 - Uses permitted with an administrative permit, subject to the provisions in section 18.100.020.

- A. One second-dwelling guest house.

(Ord. No. 236-146, 12-12-2017; Ord. 236-73 Exh. A(part), 1991)

Editor's note— Ord. No. 236-146, adopted Dec. 12, 2017, changed the title of § 18.36.040 from "Uses permitted with an administrative permit" to read as herein set out.

18.36.050 - Uses permitted with a use permit.

- A. One second dwelling, guest house, temporary family care dwelling, home occupation (18.100.030);
- B. Two-family dwellings, multiple-family dwellings, bed-and-breakfast guest facility, apartments, boarding or rooming house, mobilehome park, any other residential use;
- C. Recreational vehicle park, motel, hotel;
- D. Care facilities;
- E. Professional offices, personal services;
- F. Other public uses, quasi-public uses and public utilities necessary to support residential uses and which are compatible in a residential setting;
- G. Similar uses (18.100.030).

(Ord. 236-73 Exh. A(part), 1991)

18.36.060 - Development standards.

Except as provided in Chapter 18,110.

- A. Minimum lot size and width:

1. Six thousand square feet, with a minimum width of fifty feet, when public water and sewer, or only public sewer, are available and utilized,
2. Fifteen thousand square feet, with a minimum width of one hundred feet, when only public water is available and utilized,
3. Three acres, with a minimum width of one hundred fifty feet, when neither public water or public sewer are available or utilized. Lots created by division may be granted an exception by the planning commission, acting on a finding by the county health officer that a lesser size is adequate to accommodate the proposed water system and sewage disposal system without endangering any person. If granted, the minimum lot size and width shall not be less than fifteen thousand square feet with a minimum lot width of one hundred feet;

- B. Minimum yards:
 - 1. Front, side street: dwellings and nonfarm buildings: twenty feet; farm buildings: ten feet,
 - 2. Rear, side: five feet;
- C. Maximum height: buildings: two stories, not to exceed fifty feet; other structures: fifty feet;
- D. Maximum lot coverage: sixty percent;
- E. Access, parking, signs, other: as provided in Chapter 18.110.

(Ord. 236-73 Exh. A(part), 1991)

18.36.070 - Animal restrictions.

The AR zone shall by this reference overlay and combine with the RH zone in every area in which the RH zone is applied, and the provisions of the AR zone shall apply to the keeping of animals in the RH zone.

(Ord. 236-73 Exh. A(part), 1991)

18.36.080 - Conservation of values.

- A. Any lot in any zone shall be improved and maintained as follows:
 - 1. No trash or rubbish shall be allowed to accumulate on any lot or parcel.
 - 2. It is unlawful to park, store, leave or to permit the parking, storing or leaving of any licensed or unlicensed motor vehicle of any kind or part thereof, which is in a wrecked, junked, partially dismantled, inoperative or abandoned condition, whether attended or not, upon any private property within the county for a period of time in excess of seventy-two hours, except that two or less such vehicles or parts thereof may be stored if within a building, or placed behind an opaque screening fence; and except that such vehicles and parts may be stored in a junk yard or automobile wrecking yard lawfully established pursuant to the provisions of this chapter.
- B. The storage of merchandise, materials, partially or completely dismantled automobiles or salvage materials in any zone shall be enclosed in a sight-obscuring fence of not less than six feet in height, and such storage shall not be placed in a greater height than the enclosing wall or fence. Where such storage qualified as a legal nonconforming use, the property owner and/or proprietor shall have a period of six months from the date of notification of violation of this provision by the planning director to amortize such storage and bring it into conformance with this section.

(Ord. 236-75 (part), 1998)

Sections:

18.30.010 - Purpose.

The purpose of an RR zone is to permit residential development while maintaining a rural character, and to reduce residential development impacts on the environment which might occur with more intense development. The RR zone provides for a range of acreages from one to fifteen acres, inclusive. The RR zone is compatible with the rural residential, and to a limited degree, the general agriculture, general plan designations.

(Ord. 236-73 Exh. A(part), 1991)

18.30.020 - Regulations applicable.

The regulations set out in this chapter shall apply in any RR zones, and shall be subject to the provisions and limitations set out in Chapters 18.100 through 18.110 of this title.

(Ord. 236-73 Exh. A(part), 1991)

18.30.030 - Uses permitted.

- A. One one-family dwelling and accessory uses (18.100.010);
- B. Recreational facilities incidental to planned development such as a swimming pool, tennis courts, or clubhouse; low intensity recreational uses when the parcel is 40 acres or more;
- C. Care facilities for not more than 12 clients;
- D. Private energy development;
- E. Incidental crop cultivation or grazing, forest management, and fish and wildlife enhancement projects (18.100.010), provided there is no conflict with the residential character of the RR zone;
- F. Public uses and quasi-public uses which serve the immediate area and are compatible in a rural residential setting;
- G. Public utilities necessary in the locations proposed to support residential uses and which are compatible in a rural residential setting. Such uses are generally located and conducted within a building or screened from view and do not occupy more than one-half acre;
- H. Supportive housing consistent with requirements of the county's general development standards, chapter 18.110;
- I. Transitional housing consistent with requirements of the county's general development standards, chapter 18.110;
- J. Manufactured homes (18.100.050-I);
- K. One accessory or secondary unit when the lot has a primary dwelling unit (18.100.010-6 or 18.100.020-2 respectively);
- L. Similar uses (18.100.010);
- M. Temporary family care dwelling;

N. Guest house.

(Ord. No. 236-146, 12-12-2017; Ord. 236-73 Exh. A(part), 1991)

18.30.040 - Uses permitted with an administrative permit.

Uses permitted with an administrative permit, subject to the provisions in Section 18.100.020, are as follows:

- A. One second dwelling;
- B. A temporary family care dwelling.
- C. Guest house.

(Ord. 236-73 Exh. A(part), 1991)

18.30.050 - Uses permitted with a use permit.

- A. Assemblage of people, guest house, home occupation (18.100.030); bed and breakfast guest facility, two-family dwellings, multiple-family dwellings;
- B. Care facilities for not more than 12 clients;
- C. Public uses, quasi-public uses, and public utilities that do not meet the criteria in section 18.30.030;
- D. Similar uses (18.100.030).

(Ord. No. 236-146, 12-12-2017; Ord. 236-73 Exh. A(part), 1991)

18.30.060 - Development standards.

Except as provided in Chapter 18.110.

- A. Minimum lot size: one to fifteen acres, with the minimum lot size to be designated upon establishment of an RR zone, such that RR-5 means the minimum lot size is five acres; except, when no designation is made the minimum lot size shall be fifteen acres or any lesser size that may be established by ordinance of the board of supervisors in connection with an application to develop the property. No lot less than two acres shall be created unless public sewer is available and utilized;
- B. Minimum lot width: RR-1 zone, one hundred twenty feet; all other RR zones, one hundred fifty feet;
- C. Minimum yards:
 - 1. Front, side street: twenty feet,
 - 2. Rear, side: thirty feet;
- D. Access, parking, height limits, signs, other: as provided in Chapter 18.110.

(Ord. 236-73 Exh. A(part), 1991)

18.30.070 - Conservation of values.

- A. Any lot in any zone shall be improved and maintained as follows:
 - 1. No trash or rubbish shall be allowed to accumulate on any lot or parcel.
 - 2. It is unlawful to park, store, leave or to permit the parking, storing or leaving of any licensed or

unlicensed motor vehicle of any kind or part thereof, which is in a wrecked, junked, partially dismantled, inoperative or abandoned condition, whether attended or not, upon any private property within the county for a period of time in excess of seventy-two hours, except that two or less such vehicles or parts thereof may be stored if within a building, or placed behind an opaque screening fence; and except that such vehicles and parts may be stored in a junk yard or automobile wrecking yard lawfully established pursuant to the provisions of this chapter.

- B. The storage of merchandise, materials, partially or completely dismantled automobiles or salvage materials in any zone shall be enclosed in a sight-obscuring fence of not less than six feet in height, and such storage shall not be placed in a greater height than the enclosing wall or fence. Where such storage qualified as a legal nonconforming use, the property owner and/or proprietor shall have a period of six months from the date of notification of violation of this provision by the planning director to amortize such storage and bring it into conformance with this section.

(Ord. 236-75 (part), 1998)



UP2020+02 Public Hearing

1 message

'Frank Scudero' via Public Address - Planning <planning@co.modoc.ca.us>

Mon, Jun 22, 2020 at 11:46 AM

Reply-To: Frank Scudero <fscudero@aol.com>

To: "planning@co.modoc.ca.us" <planning@co.modoc.ca.us>

To: Sean Curtis

I spoke to you today, Sean, regarding the use permit UP2020-2 and would like to record for the public hearing that I have no objection to the intended use.

Frank Scudero

925-285-0948

Owner

Parcel Numbers

018-471-001-000

018-471-002-000

018-471-003-001

018-471-004-000

018-471-005-000

018-471-020-000

018-481-017-000



Project # UP2020-02

1 message

Michael Traverso <traversomic@sbcglobal.net>

Mon, Jun 29, 2020 at 11:40 AM

To: planning@co.modoc.ca.us

Cc: watermaster@co.modoc.ca.us

Project title: Danny and Debra Duren

Project number: UP2020-02

I'm writing to document my concerns about the poly high tunnel greenhouse project on County Road 198 in Adin California at Assessor Parcel Number 018-481-019.

I am concerned that water may be taken directly from Rush Creek without appropriate water rights.

It is my understanding that they are going to run a hydroponic system for a commercial venture within the high tunnel. If this is the case, my concern is that the jobsite would likely cause ongoing toxic pollution from chemical waste in the soil around the area and into Rush Creek.

Sincerely,
Michael Traverso
691 County Rd. 198
Adin, CA 96006

**MODOC COUNTY PLANNING COMMISSION
RESOLUTION 2020-03**

A RESOLUTION OF THE MODOC COUNTY PLANNING COMMISSION APPROVING USE PERMIT 2020-02 TO PLACE A POLY HIGH TUNNEL GREENHOUSE ON A VACANT LOT TO GROW ORGANIC, HYDROPONIC LEAFY GREENS AND CULINARY HERBS ON APN 018-481-019-000 LOCATED APPROXIMATELY 7.6 MILES NE OF THE TOWNSHIP OF ADIN ON COUNTY ROAD 198; T.40N. R9E. SECTION 24, M.D.B. & M FILED BY DANNY & DEBRA DUREN.

WHEREAS, the project is located 7.6 miles NE of the township Adin on County Road 198; Township 40N. Range 9E., M.D.B. & M.; Section 24; and

WHEREAS, the current General Plan Land Use Map designation for the existing parcel is Rural Residential (RR) and the Zoning is Residential High Density (RH); and

WHEREAS, the requested Use Permit is consistent with the General Plan and Title 18 Zoning Ordinance, as shown in (Exhibit "A"), attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held on June 30, 2020, where the Modoc County Planning Commission considered a report from the Planning Department to determine the merits of the request and its effects on the General Plan, Zoning Regulations and the health, safety, peace, morals, comfort and general welfare of persons within the County; and

WHEREAS, the proposed project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15304(e), Minor Alterations to Land of the CEQA guidelines; and

WHEREAS, the Planning Commission finds the following in connection with the request:

1. The parcel is in a residential high density zone and the project is an allowed use with the issuance of a use permit within the zoning code.
2. The project proposed is exempt from environmental review as demonstrated by the Notice of Exemption attached hereto (Exhibit "B").
3. The project together with the provisions for its design and improvements, is consistent with the objectives, policies, uses and programs of the General Plan; and

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission considered public testimony and staff recommendations during the public hearing held on June 30, 2020 to review this matter and consider the proposed project, does by motion approve Resolution 2020-03, thereby granting the Use Permit to Danny & Debra Duren

On the motion of Commissioner xxxx and seconded by Commissioner xxxx, the above and foregoing Resolution No 2020-03 was passed and adopted by the Modoc County Planning Commission on the thirtieth day of June, 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Hays, Chairman
Modoc County Planning Commission

Jackie Froeming, Executive Secretary
Modoc County Planning Commission

RECORDING REQUESTED/
RETURN TO:
MODOC COUNTY PLANNING DEPT.
203 W. 4th Street
Alturas, CA 96101

 MODOC COUNTY PLANNING DEPARTMENT
203 W. 4th Street
Alturas, California 96101
(530) 233-6406

Use Permit No: UP2020-02
Granted To: Danny and Debra Duren
Date of Planning Commission Approval: June 30, 2020
Resolution Number: 2020-03
Use: Place a Poly High Tunnel Greenhouse

THIS USE PERMIT IS HEREBY GRANTED BY THE COUNTY OF MODOC UNDER THE PROVISIONS OF THE ZONING ORDINANCE OF THE MODOC COUNTY CODE FOR THE USES SPECIFIED BELOW, SUBJECT TO THE CONDITIONS SET FORTH HEREIN.

PROJECT INFORMATION

Summary: Applicants are requesting a conditional use permit to place a poly high tunnel greenhouse on a vacant lot in order to grow vegetables and herbs hydroponically in a residential high density (RH) zone. The project site borders one of several lots they own. The proposed greenhouse will be 30' x 96' this would include permitting power on their vacant lot. Water will be supplied by the well on the neighboring lot applicants own and live on and stored in a 550 gallon tank. There will be no retail sales on site.

Owner/Applicant: Danny & Debra Duren
PO Box 10
Adin, CA 96006

2. Notice of the public hearing was mailed at least ten days prior to the hearing to all owners of real property within three hundred feet of the real property that is subject to the hearing per Modoc County Code Title 18, Section 18.140.050.
 3. The project, together with the provisions for its design and improvements:
 - a. will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the vicinity of the proposed use;
 - b. will not be detrimental or injurious to property in the vicinity or to the general welfare of the County.
 4. The use is a conditional use and is consistent with the purpose of the zone as set forth in 18.36.050.
 5. A Notice of Exemption was prepared in accordance with the California Environmental Quality Act (CEQA) and adopted on June 30, 2020.
-

I hereby certify that I understand and will comply with the conditions of this Use Permit.

Signature of Owner

Date

Signature of Owner

Date

Sean Curtis, Interim Planning Director

Date



COUNTY OF MODOC
PLANNING DEPARTMENT

203 W. 4th Street
Alturas, California 96101
(530) 233-6406 Office
(530) 233-6420 FAX

Planning Commissioners
Jim Hays, Chairman
Jim Laacke, Vice Chairman
Brian Cox
Dennis Fanning
Greg O'Sullivan

Director
Sean Curtis

NOTICE OF EXEMPTION
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

To: Modoc County Clerk Office of Planning and Research
108 E. Modoc St. P.O. Box 3044, Room 113
Alturas, CA. 96101 Sacramento, CA 95812-3044

From: Modoc County Planning Department
203 W. 4th St.
Alturas, CA. 96101

Project Title: Use Permit-Poly High Tunnel Greenhouse
Project Number: UP 2020-92
Project Location: County Road 198, approximately 7.6 miles NE of Adin, CA
Lead Agency: Modoc County Planning Department
Applicant: Danny and Debra Duren
Lead Agency Contact Person: Sean Curtis, Planning Director
Phone Number: (530) 233-6406

Description of Project: This project is the placing of a 30x96 feet Poly High Tunnel Greenhouse to grow hydroponic herbs and vegetables in Residential High Density zoning. Water will come from an adjacent lot. This also permits the power. There will be minimum land disturbance and no retail sales on site.

Name of Public Agency Approving Project: Modoc County Board of Supervisors

Name of Person or Agency Carrying Out the Project: Modoc County Planning Department

Reasons Why the Project is Exempt: This project is exempt under Categorical Exemptions 15304 Minor Alterations to Land, Class 4, which consists of minor public or private alterations

in the conditions of land, water, and /or vegetation which does not involve the removal of healthy, mature, scenic trees except for forestry and agricultural purposes including Subsection E which states “Minor temporary use of land having negligible or no permanent effects on the environment...”

Exemption Status:

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(3); 15269(a))
- Emergency Project (Section 21080(b)(4); 15269(b)(c))
- Common Sense (Section 15061(b)(3))
- Categorical Exemption: 15307
- Statutory Exemption: (15261(a))

Signature: _____

Date: _____

Title: Planning Director

Signed by Lead Agency

Signed by Applicant
