



*County of Lassen*  
Department of Planning and Building Services

• Planning • Building • Environmental Health • Code Enforcement • Surveyor • Surface Mining

March 29, 2022

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TO: Lassen County Planning Commission  
Agenda Date: April 5, 2022

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

Environmental Health  
Messages: 530 251-8528  
email: EHE@co.lassen.ca.us

RE: File #318.01.49. Repeal Lassen County Code Section 18.108.235 (Architectural Requirements)

***Summary:***

On September 7, 2021, staff provided a report to the Planning Commission (attached) regarding section 18.108.235 (Architectural Requirements) of the Lassen County Code. At that time, and for the reasons detailed in the said memorandum staff recommended that section 18.108.235 be repealed or that the Planning Commission provide specific direction regarding amendments it would like to consider.

The attached ordinance would repeal the above section.

Alternatively, the commission could provide specific direction to staff regarding amendments it would like to consider at a future meeting

MLA:gfn  
Enclosures

S/pla/admin/files/318.01.49/PC memo



## County of Lassen

### Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

August 24, 2021

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TO: Lassen County Planning Commission  
Agenda Date: September 7, 2021

FROM: Maurice L. Anderson, Director

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

RE: Potential Modifications to Architectural Requirements Ordinance (File #318.01.49)

#### BACKGROUND:

Over the last several years, the vast majority of proposed "residential use" buildings (homes, shops, garages, etc.) that deviate from the architectural requirements set forth by Section 18.108.235 (attached) of the Lassen County Code have been approved through the design review process, without any additional changes to the buildings being required. For example, buildings with metal siding, six-inch eaves (or no eaves at all), and/or a 2 in 12 or 3 in 12 roof pitch are regularly approved through the design review process. As such, the appropriateness of said architectural requirements for buildings in Lassen County has come into question, since any deviations from said standards are generally approved anyway. These standards trigger design review for projects that may not have otherwise been subject to design review. This significantly slows the permitting process.

Applicants are required to pay a \$130 fee to submit a design review application in order to deviate from the County's architectural requirements; the design review adds expense to projects, and also slows the building permit process. Planning staff processes dozens of design review applications per year.

The Department is seeking direction as to whether the Planning Commission would like to make a recommendation to the Board of Supervisors to modify the above referenced architectural requirements. For the Planning Commission to make such a recommendation, planning staff would prepare a draft ordinance for the Planning Commission's consideration at a future noticed public hearing. Ultimately, the Board of Supervisors has the authority to adopt a new ordinance, if so desired.

#### ***Projects Subject to Design Review:***

In addition to the architectural standards discussed in this memorandum, detailed at section 18.108.235, there are several other ways in which design review becomes applicable in Lassen County. Any modification to the architectural requirements detailed at section 18.108.235 would not change the following requirements:

- Any District the Board of Supervisors has zoned with a "D" (Design) Combining District is subject to design review regardless of the Architectural Standards discussed above.



- Commercial development is usually subject to design review (e.g. County Code section 18.28.060, 18.30.060, 18.32.060, 18.33.060, 18.34.060 etc.). Similarly, design review is also typically required in the industrial zoning districts.
- Design review could be required as a condition of approval for a use permit.

As currently adopted, design review could be required in accordance with the architectural requirements found at section 18.108.235, even if design review would not have otherwise been required. This can delay a project anywhere from a few days (for staff approval), a couple weeks (for approval by the Architectural Review Committee; ARC), to six weeks or more (if being reviewed by the Planning Commission). In addition, many projects cannot commence the building permit process until after the appeal period is over.

#### *Architectural Standards in Lassen County*

Although Lassen County Code Section 18.108.235 specifically sets forth architectural standards, there are other sections of the Lassen County Code that are in place to regulate the appearance of buildings. The following requirements would continue to apply even if section 18.108.235 is ultimately amended by the Board of Supervisors:

- Design Standards provided in the applicable zoning district would remain applicable (i.e., maximum height, maximum area limits).
- Applicable Area Plan and General Plan Policies would continue to pertain for projects subject to design review (e.g., the Westwood Area Plan requires a minimum 6 in 12 roof pitch).
- A public hearing would continue to be required for any project referred to the Planning Commission by the ARC. Adjoining property owners would continue to be notified as part of the noticing requirements.

#### *Recommendation*

Staff recommends that the Planning Commission direct staff to schedule a public hearing, at which changes to the architectural requirements detailed at section 18.108.235 can be discussed. At that time, the Planning Commission could determine whether it will or will not make a recommendation to the Board of Supervisors regarding said section. The Board of Supervisors may modify or repeal any recommendation the Planning Commission may make.

MLA:smr:gfn

Enclosures: Lassen County Code Section 18.108.235

### **18.108.235 Architectural requirements.**

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(1) The minimum architectural design criteria within this section shall apply to the following:

- (A) Residential use structures to be constructed or placed within R-1, R-2, R-3 or A-2 zoning districts;
- (B) Residential use structures within design review combining districts;
- (C) Residential use structures within areas designated as scenic highway corridors;
- (D) Additional dwellings which may only be allowed with the approval of a use permit or a certificate of conditional use as set forth elsewhere in this title.

(i) Buildings must not be elevated above grade so far as to make the foundation or skirting appear to be disproportionately tall for the building. As an alternative, where neighboring wood-framed buildings are in close proximity; the foundation height shall be the average of the nearest four such buildings.

(ii) Roof overhangs must extend a minimum of twelve inches from the sides and on the gable ends.

(iii) Roof must be a minimum four in twelve pitch.

(iv) Siding, including skirting around the base of manufactured homes, must be one of the following:

- (a) Wood composite siding material;
- (b) Natural wood;
- (c) Stucco;
- (d) Masonry;
- (e) Concrete;
- (f) Natural or cultured stone;

(g) Metal or vinyl siding may be used in conjunction with one of the above materials provided not less than one half the structure is sided or skirted with one of the materials in subsections (a) through (f) above. Any metal or vinyl siding must be treated with an oxidation inhibitor and shall have a no-glare surface.

(v) Buildings and other structures shall not be painted in florescent, luminescent, or other extreme colors which detract from the appearance of the neighboring property, the community as a whole or the natural environment.

Exception: Deviations from these requirements may be approved, or denied by the architectural review committee through the design review process. (Ord. 467-AF § 3, 2009; Ord. 467-AE § 6, 2009).

ORDINANCE NO. \_\_\_\_\_

Ordinance Amending Title 18 to repeal section 18.108.235 (Architectural Requirements).

The following ordinance, consisting of three sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the \_\_\_\_th day of \_\_\_\_\_, 2022, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
CHRIS GALLAGHER  
Chairman of the Board of Supervisors,  
County of Lassen, State of California

Attest:  
JULIE BUSTAMANTE  
Clerk of the Board

By: \_\_\_\_\_  
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the \_\_\_\_th day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen Board of Supervisors



**THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN  
ORDAINS AS FOLLOWS:**

**SECTION ONE:** This ordinance shall take effect thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

**SECTION TWO:** Section 18.108.235 of the Lassen County Code is hereby repealed.

**SECTION THREE:** If any section, subsection, sentence, clause, or phase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.