

RESOLUTION NO. 24-020

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF LASSEN, AMENDING  
THE GUIDELINES FOR ADMINISTRATION OF BUILDING PERMIT EXEMPTIONS FOR  
AGRICULTURAL BUILDINGS ADOPTED THROUGH BOARD RESOLUTION NUMBER  
04-028

**WHEREAS**, Subsection (b) of County Code Section 12.04.040 exempts agricultural buildings from the requirement to secure a building permit; and

**WHEREAS**, the exemption found in Section 12.04.040 was first adopted on March 22, 1965, with ordinance number 369; and

**WHEREAS**, Board Resolution Number 04-028 established guidelines for agricultural building exemptions; and

**WHEREAS**, Board Resolution Number 04-028 states that greenhouses are not exempt from the requirement to secure a building permit; and

**WHEREAS**, the Board of Supervisors wishes to amend the agricultural exemption guidelines established by Board Resolution 04-028 to find that greenhouses meeting the requirements of this Resolution and otherwise meeting the requirements of Resolution 4-28 are exempt from the requirement to secure a building permit; and

**WHEREAS**, this exemption does not permit commercial cannabis cultivation and/or hemp in a green house. Title 19 remains in full force and effect

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The forgoing recitals are true and correct.
2. The Lassen County Board of Supervisors does hereby amend the Guidelines for Administration of Building Permit Exemptions for Agricultural Buildings (attached hereto as Exhibit "A") adopted by Board Resolution 04-028 to exempt greenhouses from the requirement to secure a building permit, provided there is no human habitation of any such greenhouse and provided any such greenhouse is not used by the public.
3. The Guidelines for Administration of Building Permit Exemptions for Agricultural Buildings found in Resolution 04-028 are hereby replaced with the Guidelines found in the attached Exhibit "A".
4. This exception does not permit the cultivation of commercial cannabis and/or hemp. Title 19 remains in full force and effect.


The foregoing Resolution was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the 16<sup>th</sup> day of April, 2024, by the following vote:

AYES: Supervisors Albaugh, Gallagher, Bridges, Neely, and Ingram.

NOES: None.

ABSTAIN: None.

ABSENT: None.

  
\_\_\_\_\_  
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 Supervisors, County of Lassen, do hereby certify that the forgoing resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the 16<sup>th</sup> day of April, 2024.

  
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Deputy Clerk of the County of Lassen  
Board of Supervisors



EXHIBIT "A"

GUIDELINES FOR ADMINISTRATION OF BUILDING PERMIT EXEMPTIONS FOR  
AGRICULTURAL BUILDINGS

Agriculture: the science or art of cultivating the soil, producing crops, and raising livestock or poultry for food, fiber or labor and in varying degrees the preparation of these products for man's use.

1. Zoning of the property must allow for the use of the building; and
2. Building must be on property owned by the applicant that meets one of the following two criteria:
  - a. at least 40 acres in agricultural production, or otherwise devoted to an agricultural operation;
  - b. at least 10 acres in production of a specialty crop, e.g., strawberries.  
*Exception: Building may be constructed on property of lesser acreage provided it is owned by the applicant and adjacent or in close proximity to the property which meets the above criteria.*
3. As per California Building Code section 202-A, agricultural buildings "shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public"; and
4. Building must either be detached from other building structures or, on its own foundation and supporting members if attached to a non-exempted building. Fire separations for walls and openings between adjacent buildings with dissimilar occupancies shall apply; and
5. Use of building shall be one of the following:
  - a. livestock shelters;
  - b. poultry shelters;
  - c. structures for sheltering agricultural equipment;
  - d. structures to shelter livestock and poultry feeds, hay and grain.
  - e. greenhouses

Upon determination by the Building Official that the proposed structure meets the above criteria to qualify for permit exemption, a certification form shall be completed and filed, with the Building Division. A statement on the certification form shall declare the following: The Federal Emergency Management Agency, (FEMA) requires all structures constructed within a designated flood plain to either be elevated above flood level or engineered to withstand flooding. With this building exemption the property owner assumes full responsibility for

addressing these issues and in no way holds the County liable for flood damage or litigation stemming from non-compliance with FEMA regulations.

Structures for the maintenance of equipment, or structures for the storage or parking of vehicles/equipment not used exclusively for the performance of work in the agricultural operation are not exempt from the requirement to obtain a building permit.

Structures for the sheltering of logging trucks or equipment and trucks designed and used for the transportation of agricultural products are not exempt from the requirement to obtain a building permit.

Nurseries, roadside produce stands, wood sheds or shelters and stables for horses not used in conjunction with an agricultural operation are not exempt from the requirement to obtain a building permit.

All structures determined to be exempt from permit requirements shall meet all county fire regulations, building construction standards and minimum zoning setbacks. Additionally, electrical, plumbing, or mechanical systems, appliances or fixture installations are not exempt and shall require a building permit and inspection by the Lassen County Building Division.