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BOARD OF SUPERVISORS' MEETING August 13, 2024

Public hearing in accordance with Government Code Section 65856 to consider a proposed ordinance amending Title 18 to add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated) and adopt a rezone ordinance to rezone the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California, into the Combining District being created.

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County of Lassen
Department of Planning and Building Services

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

August 7, 2024

Maurice L. Anderson, Director
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Susanville, CA 96130-3912
Main Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

TO: Lassen County Board of Supervisors
Agenda Date: August 13, 2024

FROM: Maurice L. Anderson

MFA FOR

Zoning and Building
Inspection Requests
Phone: 530 257-5263

SUBJECT: Public hearing in accordance with Government Code Section 65856 to consider a proposed ordinance amending Title 18 to add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated) and adopt a rezone ordinance to rezone the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California, into the Combining District being created.

ACTION REQUESTED:

1. Receive report from staff and recommendation of approval from the Planning Commission; and
2. Conduct a public hearing; and
3. Introduce and adopt, by title only, the proposed ordinance.

Summary:

The Lassen County Planning Commission met on August 6, 2024 and recommended that the Board of Supervisors adopt the proposed ordinance (see attached Planning Commission resolution).

Please see the attached August 6, 2024, Planning Commission packet for more information.

MLA:gfn

Enclosures: Planning Commission Resolution Number 8-03-24
August 6, 2024, Planning Commission packet

x.pla/admin/files/318.01/72/BOS public hearing 8-13-2024/"Board letter 8-13-2024 (Spaulding Camping ordinance)"

ORDINANCE NO. _____

Ordinance Amending Title 18 to add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated); and reclassifying the Spaulding Eagle Lake Tract (Book 1, Pages 50-52 of the Official Records of Lassen County) as to Zoning Regulations.

The following ordinance, consisting of five 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 ____ day of _____, 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

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 ____ 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 adoption. Before the expiration of fifteen (15) days after its adoption 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: Number twelve (12) is added to the list of Combining Districts listed in Section 18.08.020 (Combining Districts-Established-Designated), to read as follows:

(12) C Camping on Private Property Outside Designated Campgrounds Combining District

SECTION THREE: Chapter 18.85 is hereby added to the Lassen County Code to read as follows:

**Chapter 18.85 C Camping on Private Property Outside Designated Campgrounds
Combining District**

18.85.010 Applicability

- (a) The Combining District defined by this Chapter is applicable to any property which is rezoned by the Lassen County Board of Supervisors to include said Combining District, including but not limited to the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California.
- (b) The Development Standards of this Combining District shall apply to non-commercial Camping on private property outside designated operational campgrounds. This Combining District is not intended for commercial campgrounds regulated by the California Department of Housing and Community Development and/or through a use permit issued in accordance with Chapter 18.112.
- (c) This Chapter is not intended to prohibit overnight Camping on private property with a Legally Established Residence, pursuant to property owner consent, and in compliance with all local, state and federal regulations, provided any such residence is habitable (in accordance with Title 12 of this Code and Title 24 of the California Code of Regulations). This Chapter does not apply to any such Camping.
- (d) Property owners owning property rezoned into this Combining District shall be permitted to allow non-paying guests and family members (e.g. non-commercial) to Camp on their property, in accordance with the requirements of this chapter, provided there is no commercial activity associated with the Camping.

- (e) Nothing in this Chapter is intended to prohibit or render unlawful, activities of a property owner, or other lawful user, if such activities are expressly authorized pursuant this Code or other law, or expressly authorized pursuant to a land use entitlement issued pursuant to Chapter 18.112.
- (f) Any Camping associated with Outdoor Festivals, as defined in Section 18.85.020, is strictly prohibited and is not permitted pursuant to this Chapter.

18.85.020 Definitions:

The following terms, used in this Chapter shall have the assigned meanings:

1. **Camping.** "Camping" is defined as residing in or using any public or private property for one or more nights as living accommodation, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings (including, but not limited to clothing, sleeping bags, bed rolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), or making any fire or using any tents, regularly cooking meals, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person(s) is using public or private property as a living accommodation for one or more nights.
2. **Camp Paraphernalia.** "Camp Paraphernalia" shall mean but is not limited to tents, tarps, cots, sleeping bags, hammocks, lawn chairs, cooking facilities and similar equipment. The above and other similar items shall be considered "Camp Paraphernalia" when it reasonably appears, in light of all the circumstances that a person is using said items for one or more nights, with intent to Camp.
3. **Legally Established Residence.** "Legally Established Residence" means a lawfully established structure, that is habitable and is suitable for human occupancy as required by Title 12 of this Code, by Sections 17922 and 17958 of the California Health and Safety Code, or by the California Building Standards Code (Title 24 of the California Code of Regulations). A recreational vehicle does not constitute a Legally Established Residence for purposes of this Chapter.
4. **Outdoor Festivals.** "Outdoor Festivals" means and includes any outdoor gathering of individuals for the purpose of participation in concerts, dances, and similar musical and/or theatrical type performances which are of a periodic nature and to which the public is admitted with or without the payment of admission charges.

5. **Squat.** “Squat” or “Squatting” is defined as unlawfully settling on another's land, whether said land be public or private, without express legal title or authority to do so, or entering upon another's land in bad faith claiming the right to do so without proper written authority to do so being provided to the satisfaction of the Director of the Planning and Building Services Department or authorized person. Any Camping that may occur on public lands that does not meet the requirements of this Chapter is also considered Squatting. Squatting is strictly prohibited in Lassen County.

18.85.030 Development Standards

- (a) In any District to which this Combining District is added, Camping shall be allowed by right up to 300 days in any calendar year.
- (b) Compliance with all minimum setbacks for the primary zoning district must be met.
- (c) Any person Camping on private property who is not the owner of the property involved must have written permission from the property owner, to the satisfaction of the Director of the Planning and Building Service Department.
- (d) Unless there is a Legally Established Residence that is habitable, the site on which camping is proposed lasting longer than fourteen (14) days shall meet at least one of the following requirements:
1. Said site has access to an approved connection to the Spalding Community Services District sewer system.
 2. Said site shall have portable restroom(s) with toilet facilities available to campers meeting all requirements of this Code, the California Plumbing Code, and other applicable state law or regulation. Said facilities must be provided and accessible to campers on the private property on which Camping is proposed. Restrooms at nearby publically owned campgrounds and parks do not qualify for use by campers on private property. However, it shall be at the discretion of the Director of the Planning and Building Services Department to allow camping for up to twenty (20) days without portable restroom toilet facilities being made available; or
 3. All persons Camping on said site shall have access to a recreational vehicle that has a properly maintained toilet facility with holding tanks adequate to store waste generated from all Campers. Said tanks shall be emptied in accordance with all applicable law as often as necessary during any term in which camping is allowed.

- (e) The applicant is responsible for ensuring there is an adequate supply of potable water available. Any connection to an onsite well or other water source must first be approved by the Manager of the Environmental Health Division of the Planning and Building Service Department or by the applicable community service district or state agency.
- (f) Dumping of any trash or litter is prohibited. Trash receptacles sufficient for the number of campers must be provided, and, at the termination of the term of camping, all garbage, trash, or other waste shall be removed and properly disposed of, or, if the period of Camping is longer than 14 days, disposal shall be weekly. The applicant shall comply with any orders issued by the Director of the Planning and Building Services Department in terms of removing garbage and debris, sanitation, and/or any other applicable requirements of this Code and/or state law or regulation.
- (i) All use of camp fires or burning shall be in compliance with state and local law, and pursuant to any required permits.
- (j) Outdoor storage of Camp Paraphernalia shall not be permitted when not in use by campers.
- (k) All uses pursuant to this combining district shall comply with the Lassen County Noise Ordinance (County Code Chapter 9.65)
- (l) At the termination of the term of Camping, all tents and temporary structures or shelters shall be removed from the subject property.
- (m) Any recreational vehicle being used for Camping shall be licensed and maintained in a readily transportable configuration either on its own power or be capable of being legally towed.

18.85.040 Use Permit Required.

Any Camping in any calendar year greater than 300 days or commercial Camping shall require that a use permit first be secured in accordance with Chapter 18.112.

18.85.050 Violations

Violations of this Chapter are hereby declared to be a public nuisance and shall be subject to the enforcement actions detailed in Chapter 1.18 (Public Nuisances) and 1.19 (Abandoned Vehicles) as well as any other applicable provision of this Code and/or state law or regulation. Any such violation of this Chapter may also be charged as a misdemeanor.

SECTION FOUR: The Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1 of Maps, Pages 50-52, of the Official Records of Lassen County,

California, together with any lands that directly adjoin, and are contiguous to, those lands of said Spaulding Eagle Lake Tract as a result of merger, lot line adjustment or parcel map that has been completed and recorded prior to the date this ordinance is adopted, are hereby rezoned to the C (Camping on Private Property Outside Designated Campgrounds Combining District), as detailed in Chapter 18.85. Other than to place said area into said combining district, this ordinance shall not change the primary zoning district or any other combining district any parcel within said Tract has been rezoned into. The uses permitted therein shall be subject to the provisions and restrictions as set forth in Chapter 18.85 of the Lassen County Code, as well as any other applicable sections of said Code.

SECTION FIVE: 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.

RESOLUTION NO. 8-03-24

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING TITLE 18 TO ADD CHAPTER 18.85 (CAMPING ON PRIVATE PROPERTY OUTSIDE DESIGNATED CAMPGROUNDS COMBINING DISTRICT), AMEND SECTION 18.08.020 (COMBINING DISTRICTS-ESTABLISHED-DESIGNATED); AND RECLASSIFYING THE SPAULDING EAGLE LAKE TRACT (BOOK 1, PAGES 50-52 OF THE OFFICIAL RECORDS OF LASSEN COUNTY) AS TO ZONING REGULATIONS. (File #318.01.72)

WHEREAS, on October 4, 2022, the Lassen County Planning Commission conducted a public hearing to make a recommendation to the Lassen County Board of Supervisors regarding a countywide camping ordinance; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the countywide camping ordinance, but did not adopt the ordinance; and

WHEREAS, changes have been made to the proposed ordinance considered by the Planning Commission and Board of Supervisors; and

WHEREAS, on August 6, 2024, the Planning Commission has considered the proposed changes to the ordinance as required by Section 65857 of the Government Code; and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15061(b)(3), 15307, and 15308 of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The above recitals are true and correct; and
2. The Spaulding Eagle Lake Tract was created with the intent that camping be allowed.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15061(b)(3), 15307, and 15308 of the CEQA Guidelines.
4. The Planning Commission hereby recommends that the Board of Supervisors adopt the proposed ordinance presented to the Planning Commission on August 6, 2024.

Resolution: 8-03-24
Page 2 of 2

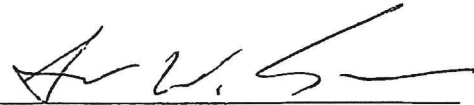
PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 6th day of August 2024, by the following vote:

AYES: Commissioners Solomon, Clark, Shaw and Askew

NOES: None

ABSTAIN: None

ABSENT: None



Chairman Lassen County Planning Commission

ATTEST:



Maurice L. Anderson, Secretary
Lassen County Planning Commission

x:\pla\admin\files\318.01.72\PC report 8-6-2024\PC resolution"



County of Lassen
Department of Planning and Building Services

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

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Main Phone: 530 251-8269
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email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

July 31, 2024

TO: Lassen County Planning Commission
Agenda Date: August 6, 2024

Zoning and Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

SUBJECT: Make a recommendation to the Board of Supervisors regarding changes to a proposed ordinance amending Title 18 to add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated) and adopt a rezone ordinance to rezone the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California, into the Combining District being created. The ordinance would allow camping for up to 300 days by right on private property located in the Spaulding Eagle Lake Tract. The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3), 15307 and 15308. Staff Contact: Deputy Director Gaylon Norwood.

Summary:

On October 4, 2022, the Planning Commission conducted a public hearing to consider a countywide camping ordinance (see attached minute excerpts). The Board of Supervisors conducted its public hearing on January 16, 2024 (see attached minute order), but did not adopt the ordinance (there was a delay between the public hearings while a general plan amendment was being prepared and tribal consultation was being completed).

The proposed ordinance has been amended to allow camping for up to 300 days per year at the Spaulding Eagle Lake Tract only. The countywide provisions have been removed. The ordinance would also rezone the Spaulding Eagle Lake Tract into the combining district being created. Currently, most of the Spaulding Tract is zoned single-family residential and camping is not allowed (unless there is a legally established residence). However, it is recognized that Spaulding was created as a camping subdivision.

The proposed ordinance would be considered in accordance with section 65853 et seq (Zoning Amendment Procedures) of the California Government Code and Chapter 18.124 (Procedures for Precise Zoning and Amendments). Pursuant to Section 65857 of the Government Code, changes

Lassen County Planning Commission
Agenda Date: August 6, 2024
Page 2 of 2

not considered by the Planning Commission must be referred back to the Planning Commission for report and recommendation (a public hearing is not required).

The Board of Supervisors is scheduled to conduct another public hearing to consider the proposed amendments to the proposed ordinance on August 13, 2024. In accordance with Government Code Section 65857, the Board of Supervisors can introduce and adopt the ordinance at the same meeting.

Environmental Review:

The Lassen County Environmental Review Officer (the Director of the Planning and Building and Service Department) recommends that the Board find that adoption of this ordinance is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code, Section 21000, et. seq., hereafter "CEQA").

Adoption of the ordinance will not result in a direct or reasonably foreseeable indirect adverse physical change to the environment, and therefore, its adoption is exempt from CEQA review. (CEQA Guidelines, Section 15061(b)(3)) The ordinance is also an effort directed to improve public health and safety and is thus exempt from CEQA as an action taken by the County to assure the maintenance, restoration, or enhancement of a natural resource and/or the environment. (CEQA Guidelines, Sections 15307, 15308).

MLA:gfn

Enclosures: Proposed Planning Commission resolution
October 4, 2022, Planning Commission minute excerpts
January 16, 2024, Board of Supervisors minute order
Proposed ordinance

x:\pla\adminin\files\300\18\01\72\PC report 8-6-2024\8-6-2024 PC staff report"

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING TITLE 18 TO ADD CHAPTER 18.85 (CAMPING ON PRIVATE PROPERTY OUTSIDE DESIGNATED CAMPGROUNDS COMBINING DISTRICT), AMEND SECTION 18.08.020 (COMBINING DISTRICTS-ESTABLISHED-DESIGNATED); AND RECLASSIFYING THE SPAULDING EAGLE LAKE TRACT (BOOK 1, PAGES 50-52 OF THE OFFICIAL RECORDS OF LASSEN COUNTY) AS TO ZONING REGULATIONS. (File #318.01.72)

WHEREAS, on October 4, 2022, the Lassen County Planning Commission conducted a public hearing to make a recommendation to the Lassen County Board of Supervisors regarding a countywide camping ordinance; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the countywide camping ordinance, but did not adopt the ordinance; and

WHEREAS, changes have been made to the proposed ordinance considered by the Planning Commission and Board of Supervisors; and

WHEREAS, on August 6, 2024, the Planning Commission has considered the proposed changes to the ordinance as required by Section 65857 of the Government Code; and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15061(b)(3), 15307, and 15308 of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The above recitals are true and correct; and
2. The Spaulding Eagle Lake Tract was created with the intent that camping be allowed.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15061(b)(3), 15307, and 15308 of the CEQA Guidelines.
4. The Planning Commission hereby recommends that the Board of Supervisors adopt the proposed ordinance presented to the Planning Commission on August 6, 2024.

Resolution: _____
Page 2 of 2

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 6th day of August 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

x/pla/admin/files/318.01.72//PC report 8-6-2024/"PC resolution"

EXCERPTS
APPROVED MINUTES
LASSEN COUNTY PLANNING COMMISSION
October 4, 2022

The Commission convened in regular session at 1:10 p.m. at 707 Nevada Street Susanville, CA. Chairman Ingram presided with Commission members Solomon, Clark, Higgins and Shaw present. Also present were Gaylon Norwood (Deputy Director and Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott.

Director Maurice Anderson joined the meeting at 1:15 p.m.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department (530) 251-8269 to determine if an audio recording is available.)

The following are excerpts from the above meeting.

PUBLIC HEARING: RECOMMENDATION TO LASSEN COUNTY BOARD OF SUPERVISORS: LASSEN COUNTY FILE #300.18.01.43. CAMPING ORDINANCE. As required by Government Code Section 65854, the Lassen County Planning Commission will conduct a public hearing and make a recommendation to the Board of Supervisors regarding a proposed Ordinance amending Title 18 to add Chapter 18.107 (Camping), add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated), add an administrative camping permit fee to Section 3.18.020, repeal Chapter 7.08 (House Court, Tent Camp Spaces), and repeal Section 18.102.017 (Recreational vehicle use as temporary living quarters) and adopt a rezoning ordinance to rezone the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California., into the Combining District being created. Adoption of the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Sections 15307, 15308, 15060(c)(2) and 15061(b)(3) of the CEQA Guidelines. Lassen County, California. Gaylon Norwood, Deputy Director presented the staff report.

The public hearing was opened at 1:17 p.m.

The public hearing was closed at 1:17 p.m.

Discussion was held on how deep the disposable waste should be buried, Commissioner Shaw suggested that it be buried 12" not 6".

MOTION:

It was moved by Commissioner Solomon, seconded by Commissioner Shaw and carried to recommend that the Board of Supervisors adopt the proposed File #300.18.01.43., Camping Ordinance with the recommended condition that waste disposal be buried 12" not 6". Commissioners Ingram, Shaw, Clark, Higgins and Solomon voted "Aye".

The meeting adjourned at 1:31 p.m.



Lassen County Board of Supervisors Minute Order

Tuesday, January 16, 2024

LASSEN COUNTY SUPERVISORS:

DISTRICT 1 - CHRIS GALLAGHER - VICE CHAIRMAN; DISTRICT 2 - GARY BRIDGES; DISTRICT 3 - TOM NEELY; DISTRICT 4 - AARON ALBAUGH - CHAIRMAN; DISTRICT 5 - JASON INGRAM

9:30 A.M. OPENING CEREMONIES

Present: Supervisors Gallagher, Bridges, Neely, Albaugh, and Ingram. Also present: County Administrative Officer (CAO) Richard Egan, County Counsel Amanda Uhrhammer, and Deputy Clerk of the Board Michele Yderraga.

PUBLIC HEARINGS

10:10 a.m.: PLANNING AND BUILDING SERVICES

SUBJECT: Public hearing in accordance with Government Code Section 65856 to consider a proposed ordinance amending Title 18 of the Lassen County Code to add Chapter 18.107 (Camping), add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated), add an administrative camping permit fee to Section 3.18.020, repeal Chapter 7.08 (House Court, Tent Camp Spaces), and repeal Section 18.102.017 (Recreational vehicle use as temporary living quarters) and adopt a rezone ordinance to rezone the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California., into the Combining District being created.

FISCAL IMPACT: The cost to implement the ordinance should be offset by the fee being established.

ACTION REQUESTED: 1) Receive report from staff and recommendation of approval from the Planning Commission; and 2) conduct a public hearing; and 3) introduce and waive the first reading of the ordinance.

Director of Planning and Building Services Maury Anderson stated this was already read into the record and was requesting to take no action at this time. Director Anderson stated this item was written pre-covid and wanted to recognize Sheriff/Coroner Dean Growdon, Sheriff's Captain John McGarva, Supervisor Gallagher and an assorted of other people for their contribution. Director Anderson discussed Spalding, the General Plan and informed the

board this was just a draft and could be influenced, modified, and changed. Director Anderson encouraged suggestions from the public and staff. Brief discussion was held pertaining to complaints, Eagle Lake and fees.

The Public Hearing was open from 11:00 a.m. - 11:15 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: None.

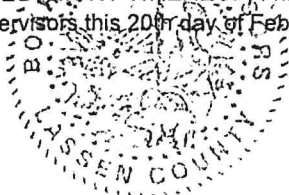
SPEAKERS: Tim Micone, Denise Pickens, Amy Hagen, Dante Callegari, Robert Laird.

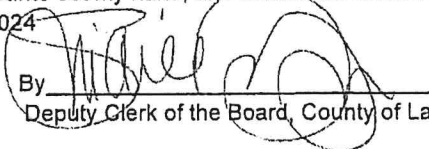
Supervisor Albaugh instructed the public not to harass the Lassen County Staff as this item was requested for review by the Board of Supervisors. Supervisor Albaugh added the staff was doing their job and it was a unanimous vote by the board to have this item brought for presentation. Supervisor Gallagher stated he agreed with Supervisor Albaugh and briefly discussed his involvement with Visit California. Supervisor Ingram thanked the Chairman for keeping the board meeting under control and briefly discussed the public's behavior during the meeting. Additional discussion was held regarding the procedure of noticing the public of public hearings and prior hearings pertaining to this item. No action was taken on this item. County Counsel Uhrhammer stated this item would have to be re-noticed and agendized for a future meeting.

County of Lassen County)
State of California) ss.

I, Michele J Yderraga, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, State of California, do hereby certify the foregoing to be a full, true and correct copy of the minute order of said Board of Supervisors on above date.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Official Seal of the said Board of Supervisors this 20th day of February, 2024



By 
Deputy Clerk of the Board, County of Lassen, Board of Supervisors

ORDINANCE NO. _____

Ordinance Amending Title 18 to add Chapter 18.85 (Camping on Private Property Outside Designated Campgrounds Combining District), amend Section 18.08.020 (Combining Districts-Established-Designated); and reclassifying the Spaulding Eagle Lake Tract (Book 1, Pages 50-52 of the Official Records of Lassen County) as to Zoning Regulations.

The following ordinance, consisting of five 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 ____ day of _____, 2024, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

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 ____ day of _____, 20____.

Deputy Clerk of the County of Lassen Board of Supervisors

Ordinance Number: _____
Page 2 of 6

**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 adoption. Before the expiration of fifteen (15) days after its adoption 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: Number twelve (12) is added to the list of Combining Districts listed in Section 18.08.020 (Combining Districts-Established-Designated), to read as follows:

(12) C Camping on Private Property Outside Designated Campgrounds Combining District

SECTION THREE: Chapter 18.85 is hereby added to the Lassen County Code to read as follows:

**Chapter 18.85 C Camping on Private Property Outside Designated Campgrounds
Combining District**

18.85.010 Applicability

- (a) The Combining District defined by this Chapter is applicable to any property which is rezoned by the Lassen County Board of Supervisors to include said Combining District, including but not limited to the Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1, Pages 50-52, of the Official Records of Lassen County, California.
- (b) The Development Standards of this Combining District shall apply to non-commercial Camping on private property outside designated operational campgrounds. This Combining District is not intended for commercial campgrounds regulated by the California Department of Housing and Community Development and/or through a use permit issued in accordance with Chapter 18.112.
- (c) This Chapter is not intended to prohibit overnight Camping on private property with a Legally Established Residence, pursuant to property owner consent, and in compliance with all local, state and federal regulations, provided any such residence is habitable (in accordance with Title 12 of this Code and Title 24 of the California Code of Regulations). This Chapter does not apply to any such Camping.
- (d) Property owners owning property rezoned into this Combining District shall be permitted to allow non-paying guests and family members (e.g. non-commercial) to Camp on their property, in accordance with the requirements of this chapter, provided there is no commercial activity associated with the Camping.

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- (e) Nothing in this Chapter is intended to prohibit or render unlawful, activities of a property owner, or other lawful user, if such activities are expressly authorized pursuant this Code or other law, or expressly authorized pursuant to a land use entitlement issued pursuant to Chapter 18.112.
- (f) Any Camping associated with Outdoor Festivals, as defined in Section 18.85.020, is strictly prohibited and is not permitted pursuant to this Chapter.

18.85.020 Definitions:

The following terms, used in this Chapter shall have the assigned meanings:

1. **Camping.** "Camping" is defined as residing in or using any public or private property for one or more nights as living accommodation, such as sleeping activities or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings (including, but not limited to clothing, sleeping bags, bed rolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and similar material), or making any fire or using any tents, regularly cooking meals, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person(s) is using public or private property as a living accommodation for one or more nights.
2. **Camp Paraphernalia.** "Camp Paraphernalia" shall mean but is not limited to tents, tarps, cots, sleeping bags, hammocks, lawn chairs, cooking facilities and similar equipment. The above and other similar items shall be considered "Camp Paraphernalia" when it reasonably appears, in light of all the circumstances that a person is using said items for one or more nights, with intent to Camp.
3. **Legally Established Residence.** "Legally Established Residence" means a lawfully established structure, that is habitable and is suitable for human occupancy as required by Title 12 of this Code, by Sections 17922 and 17958 of the California Health and Safety Code, or by the California Building Standards Code (Title 24 of the California Code of Regulations). A recreational vehicle does not constitute a Legally Established Residence for purposes of this Chapter.
4. **Outdoor Festivals.** "Outdoor Festivals" means and includes any outdoor gathering of individuals for the purpose of participation in concerts, dances, and similar musical and/or theatrical type performances which are of a periodic nature and to which the public is admitted with or without the payment of admission charges.

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5. **Squat.** "Squat" or "Squatting" is defined as unlawfully settling on another's land, whether said land be public or private, without express legal title or authority to do so, or entering upon another's land in bad faith claiming the right to do so without proper written authority to do so being provided to the satisfaction of the Director of the Planning and Building Services Department or authorized person. Any Camping that may occur on public lands that does not meet the requirements of this Chapter is also considered Squatting. Squatting is strictly prohibited in Lassen County.

18.85.030 Development Standards

- (a) In any District to which this Combining District is added, Camping shall be allowed by right up to 300 days in any calendar year.
- (b) Compliance with all minimum setbacks for the primary zoning district must be met.
- (c) Any person Camping on private property who is not the owner of the property involved must have written permission from the property owner, to the satisfaction of the Director of the Planning and Building Service Department.
- (d) Unless there is a Legally Established Residence that is habitable, the site on which camping is proposed lasting longer than fourteen (14) days shall meet at least one of the following requirements:
 1. Said site has access to an approved connection to the Spalding Community Services District sewer system.
 2. Said site shall have portable restroom(s) with toilet facilities available to campers meeting all requirements of this Code, the California Plumbing Code, and other applicable state law or regulation. Said facilities must be provided and accessible to campers on the private property on which Camping is proposed. Restrooms at nearby publically owned campgrounds and parks do not qualify for use by campers on private property. However, it shall be at the discretion of the Director of the Planning and Building Services Department to allow camping for up to twenty (20) days without portable restroom toilet facilities being made available; or
 3. All persons Camping on said site shall have access to a recreational vehicle that has a properly maintained toilet facility with holding tanks adequate to store waste generated from all Campers. Said tanks shall be emptied in accordance with all applicable law as often as necessary during any term in which camping is allowed.

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- (e) The applicant is responsible for ensuring there is an adequate supply of potable water available. Any connection to an onsite well or other water source must first be approved by the Manager of the Environmental Health Division of the Planning and Building Service Department or by the applicable community service district or state agency.
- (f) Dumping of any trash or litter is prohibited. Trash receptacles sufficient for the number of campers must be provided, and, at the termination of the term of camping, all garbage, trash, or other waste shall be removed and properly disposed of, or, if the period of Camping is longer than 14 days, disposal shall be weekly. The applicant shall comply with any orders issued by the Director of the Planning and Building Services Department in terms of removing garbage and debris, sanitation, and/or any other applicable requirements of this Code and/or state law or regulation.
- (i) All use of camp fires or burning shall be in compliance with state and local law, and pursuant to any required permits.
- (j) Outdoor storage of Camp Paraphernalia shall not be permitted when not in use by campers.
- (k) All uses pursuant to this combining district shall comply with the Lassen County Noise Ordinance (County Code Chapter 9.65)
- (l) At the termination of the term of Camping, all tents and temporary structures or shelters shall be removed from the subject property.
- (m) Any recreational vehicle being used for Camping shall be licensed and maintained in a readily transportable configuration either on its own power or be capable of being legally towed.

18.85.040 Use Permit Required.

Any Camping in any calendar year greater than 300 days or commercial Camping shall require that a use permit first be secured in accordance with Chapter 18.112.

18.85.050 Violations

Violations of this Chapter are hereby declared to be a public nuisance and shall be subject to the enforcement actions detailed in Chapter 1.18 (Public Nuisances) and 1.19 (Abandoned Vehicles) as well as any other applicable provision of this Code and/or state law or regulation. Any such violation of this Chapter may also be charged as a misdemeanor.

SECTION FOUR: The Spaulding Eagle Lake Tract, as said Tract is shown on the map filed in Book 1 of Maps, Pages 50-52, of the Official Records of Lassen County,

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California, together with any lands that directly adjoin, and are contiguous to, those lands of said Spaulding Eagle Lake Tract as a result of merger, lot line adjustment or parcel map that has been completed and recorded prior to the date this ordinance is adopted, are hereby rezoned to the C (Camping on Private Property Outside Designated Campgrounds Combining District), as detailed in Chapter 18.85. Other than to place said area into said combining district, this ordinance shall not change the primary zoning district or any other combining district any parcel within said Tract has been rezoned into. The uses permitted therein shall be subject to the provisions and restrictions as set forth in Chapter 18.85 of the Lassen County Code, as well as any other applicable sections of said Code.

SECTION FIVE: 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.

