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BOARD OF SUPERVISORS' MEETING August 13, 2024

Proposed Amendment of the Eagle Lake Area Plan adding camping provisions applicable to the Spaulding Eagle Lake Tract.

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County of Lassen
Department of Planning and Building Services

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

Maurice L. Anderson, Director
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August 7, 2024

Zoning and Building
Inspection Requests
Phone: 530 257-5263

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

FROM: Maurice L. Anderson, Director

MAL for

SUBJECT: Proposed Amendment of the Eagle Lake Area Plan adding camping provisions applicable to the Spaulding Eagle Lake Tract.

ACTION REQUESTED:

1. Receive recommendation from the Planning Commission; and
2. Conduct a public hearing as required by Government Code Section 65355; and
3. Adopt a resolution adopting the Amendment.

Summary:

On November 7, 2023, the Planning Commission conducted a public hearing and recommended that the Board of Supervisors approve a countywide General Plan Amendment to add camping provisions to the County General Plan as required by Government Code Section 65353. On January 16, 2024, the Board of Supervisors conducted its own public hearing, but did not adopt the Amendment.

The proposal has been changed to amend the Eagle Lake Area Plan to add camping provisions applicable to only the Spaulding Eagle Lake Tract. The countywide provisions have been removed. Section 65356 of the Government Code requires that any “substantial modification” of a proposed general plan amendment be referred back to the Planning Commission for comment. Therefore, the current proposed Amendment was reviewed by the Planning Commission on August 6, 2024, and the attached resolution was adopted, recommending that the Board of Supervisors approve the Amendment of the Eagle Lake Area Plan.

The attached proposed General Plan Amendment is intended to allow consistency between the zoning ordinance and the General Plan if the Board of Supervisors adopts a camping combining district for the Spaulding Eagle Lake Tract.

Board of Supervisors
Agenda Date: August 13, 2024
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The required 90-day offer of tribal consultation has been completed for this proposed General Plan Amendment, and the Amendment is now ready for action by the Board of Supervisors. No tribal consultation was requested.

Authority for General Plan Amendment:

California Government Code Section 65860 requires that any zoning ordinance adopted by a jurisdiction in California be consistent with that jurisdiction's General Plan. As such, if the Board of Supervisors wishes to consider the ordinance to establish a camping combining district for the Spaulding Eagle Lake Tract, this Amendment should be considered.

Prior to adoption of any such Amendment, the Board of Supervisors is required by Section 65355 of the Government Code to conduct its own public hearing to consider the proposed Amendment.

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 General Plan Amendment is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code, Section 21000, et. seq., hereafter "CEQA").

Adoption of the Amendment 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 Amendment 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: Planning Commission Resolution Number 8-02-24
August 6, 2024, Planning Commission packet

Pla/admin/files/700.12/GPA - Spaulding only/Board public hearing 8-13-2024/"Board letter (8-13-2024)"

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS ADOPTING
AN AMENDMENT TO THE EAGLE LAKE AREA PLAN TO ADD CAMPING PROVISIONS
APPLICABLE TO THE SPAULDING EAGLE LAKE TRACT (FILE #700.12)

WHEREAS, the Planning Commission conducted a public hearing on November 7, 2023, as required by Section 65353 of the Government Code and recommended that the Board of Supervisors adopt a Camping General Plan Amendment; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the proposed General Plan Amendment; and

WHEREAS, on August 6, 2024, changes to the proposed General Plan Amendment were presented to the Lassen County Planning Commission as required by Section 65356 of the Government Code

WHEREAS, on August 13, 2024, the Board of Supervisors conducted a public hearing as required by Government Code Section 65355 to adopt the revised Amendment; and

WHEREAS, tribal consultation has been executed in accordance with Senate Bill 18 and Assembly Bill 52 (Government Code Section 65352.3 and Public Resources Code Section 21080.3.1); and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed Amendment 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 AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Board of Supervisors further finds that this Amendment is consistent with all other elements of the Lassen County General Plan.
3. The Board of Supervisors hereby concurs with the Environmental Review Officer that this Amendment 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 Spaulding Eagle Lake Tract was created with the intent that camping be allowed.
5. The Board of Supervisors hereby amends the Eagle Lake Area Plan to add the following Policy and Implementation Measures:

Resolution No. _____

V-22 CAMPING AT THE SPAULDING EAGLE LAKE TRACT

Policy:

The County should create a Camping Combining District and rezone appropriate areas of the County into said Combining District.

Any ordinance adopted by Lassen County to allow camping will be consistent with the Supreme Court Grants Pass, Oregon v. Johnson and subsequent case law.

Implementation:

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, 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 of this amendment, should be rezoned to include any Camping Combining District that may be created.

Any ordinance adopted to allow camping shall adequately address health and sanitation issues that may result from camping.

Resolution No. _____

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 August 13, 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 resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the August 13, 2024.

Deputy Clerk of the County of Lassen Board of Supervisors

RESOLUTION NO. 8-02-24RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING
THAT THE BOARD OF SUPERVISORS ADOPT
AN AMENDMENT TO THE EAGLE LAKE AREA PLAN TO ADD CAMPING
PROVISIONS APPLICABLE TO THE SPAULDING EAGLE LAKE TRACT (FILE #700.12)

WHEREAS, the Planning Commission conducted a public hearing on November 7, 2023, as required by Section 65353 of the Government Code and recommended that the Board of Supervisors adopt a Camping General Plan Amendment; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the proposed General Plan Amendment; and

WHEREAS, on August 6, 2024, changes to the proposed General Plan Amendment were presented to the Lassen County Planning Commission as required by Section 65356 of the Government Code; and

WHEREAS, tribal consultation has been executed in accordance with Senate Bill 18 and Assembly Bill 52 (Government Code Section 65352.3 and Public Resources Code Section 21080.3.1); and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed Amendment 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 this Amendment 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 Amendment to the Eagle Lake Area Plan presented to the Planning Commission on August 6, 2024.

Resolution: 8-02-24
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

\\pla\admin\files\700\12\GPA Spaulding only\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

July 31, 2024

Maurice L. Anderson, Director
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website: www.co.lassen.ca.us

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 a proposed Amendment of the Eagle Lake Area Plan adding camping provisions applicable to 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 November 7, 2023, the Planning Commission conducted a public hearing and recommended that the Board of Supervisors approve a countywide General Plan Amendment to add camping provisions to the County General Plan (see attached approved minute excerpts). On January 16, 2024, the Board of Supervisors conducted its own public hearing, but did not adopt the Amendment (see attached minute order).

The proposal has been changed to amend the Eagle Lake Area Plan to add camping provisions applicable to only the Spaulding Eagle Lake Tract only (see attached draft Board of Supervisors resolution). The countywide provisions have been removed. Section 65356 of the Government Code requires that any "substantial modification" of a proposed general plan amendment be referred back to the Planning Commission for comment. Attached is proposed resolution for the Planning Commission's consideration, recommending that the Board of Supervisors adopt the proposed Amendment.

A corresponding zoning ordinance has been prepared that would apply only to the Spaulding Eagle Lake Tract. The ordinance will be considered after the General Plan Amendment is considered, as a separate item.

Authority for General Plan Amendment:

California Government Code Section 65860 requires that any zoning ordinance adopted by a jurisdiction in California be consistent with that jurisdiction's General Plan. The proposed Amendment would allow a determination that the proposed ordinance is consistent with the General Plan.

Lassen County Planning Commission
 Agenda Date: August 6, 2024
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In accordance with Government Code Section 65353, the Planning Commission is required to conduct a public hearing and make a recommendation to the Board of Supervisors as to whether said Amendment should or should not be adopted. As stated above, the Planning Commission conducted its public hearing on November 7, 2023. However, since changes have been proposed to make the Amendment applicable to the Spaulding Eagle Lake Tract only, Section 65356 of the Government Code requires that the Amendment be referred back to the Planning Commission. Another public hearing is not required.

In accordance with Government Code Section 65355 a public hearing has been scheduled with the Lassen County Board of Supervisors for August 13, 2024, to consider the revised Amendment.

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 General Plan Amendment is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code, Section 21000, et. seq., hereafter "CEQA").

Adoption of the Amendment 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 Amendment 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
 Proposed Board Resolution approving the Amendment to the Eagle Lake Area
 Plan
 November 7, 2023, Planning Commission minute excerpts
 January 16, 2024, Board of Supervisors minute order

\\pla\admin\files\700\12\01\GPA - Spaulding only\PC report 8-6-2024\PC staff report 8-6-2024"

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING
 THAT THE BOARD OF SUPERVISORS ADOPT
 AN AMENDMENT TO THE EAGLE LAKE AREA PLAN TO ADD CAMPING
 PROVISIONS APPLICABLE TO THE SPAULDING EAGLE LAKE TRACT (FILE #700.12)

WHEREAS, the Planning Commission conducted a public hearing on November 7, 2023, as required by Section 65353 of the Government Code and recommended that the Board of Supervisors adopt a Camping General Plan Amendment; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the proposed General Plan Amendment; and

WHEREAS, on August 6, 2024, changes to the proposed General Plan Amendment were presented to the Lassen County Planning Commission as required by Section 65356 of the Government Code; and

WHEREAS, tribal consultation has been executed in accordance with Senate Bill 18 and Assembly Bill 52 (Government Code Section 65352.3 and Public Resources Code Section 21080.3.1); and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed Amendment 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 this Amendment 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 Amendment to the Eagle Lake Area Plan 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

\\pla\admin\files\700\12\GPA Spaulding only\PC report 8-6-2024\PC resolution"

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY BOARD OF SUPERVISORS ADOPTING
AN AMENDMENT TO THE EAGLE LAKE AREA PLAN TO ADD CAMPING PROVISIONS
APPLICABLE TO THE SPAULDING EAGLE LAKE TRACT (FILE #700.12)

WHEREAS, the Planning Commission conducted a public hearing on November 7, 2023, as required by Section 65353 of the Government Code and recommended that the Board of Supervisors adopt a Camping General Plan Amendment; and

WHEREAS, on January 16, 2024, the Board of Supervisors conducted a public hearing to consider the proposed General Plan Amendment; and

WHEREAS, on August 6, 2024, changes to the proposed General Plan Amendment were presented to the Lassen County Planning Commission as required by Section 65356 of the Government Code

WHEREAS, on August 13, 2024, the Board of Supervisors conducted a public hearing as required by Government Code Section 65355 to adopt the revised Amendment; and

WHEREAS, tribal consultation has been executed in accordance with Senate Bill 18 and Assembly Bill 52 (Government Code Section 65352.3 and Public Resources Code Section 21080.3.1); and

WHEREAS, the Lassen County Environmental Review Officer has recommended that the Board of Supervisors find that the proposed Amendment 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 AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Board of Supervisors further finds that this Amendment is consistent with all other elements of the Lassen County General Plan.
3. The Board of Supervisors hereby concurs with the Environmental Review Officer that this Amendment 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 Spaulding Eagle Lake Tract was created with the intent that camping be allowed.
5. The Board of Supervisors hereby amends the Eagle Lake Area Plan to add the following Policy and Implementation Measures:

V-22 CAMPING AT THE SPAULDING EAGLE LAKE TRACT

Policy:

The County should create a Camping Combining District and rezone appropriate areas of the County into said Combining District.

Any ordinance adopted by Lassen County to allow camping will be consistent with the Supreme Court Grants Pass, Oregon v. Johnson and subsequent case law.

Implementation:

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, 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 of this amendment, should be rezoned to include any Camping Combining District that may be created.

Any ordinance adopted to allow camping shall adequately address health and sanitation issues that may result from camping.

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 August 13, 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 resolution was adopted by the said Board of Supervisors at a regular meeting thereof held on the August 13, 2024.

Deputy Clerk of the County of Lassen Board of Supervisors

EXCERPTS
APPROVED MINUTES
LASSEN COUNTY PLANNING COMMISSION
November 7, 2023

The Commission convened in regular session at 1:10 p.m. in the Board of Supervisors Chamber at 707 Nevada St., Susanville, CA. Commissioner Mark Solomon presided with Commission members Jeff Askew, Mark Higgins, Carol Clark and John Shaw present. Also present were Maurice Anderson (Director and Planning Commission Secretary), Planning and Building Services Department staff, and Recording Secretary Anetia Elliott.

(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 THE LASSEN COUNTY BOARD OF SUPERVISORS: LASSEN COUNTY FILE #700.12. CAMPING GENERAL PLAN AMENDMENT. General Plan Amendment adding Goals, Policies and Implementation Measures for camping on private property and on County public property. The Planning Commission will conduct a public hearing in accordance with Government Code Section 65353 and will make a recommendation to the Board of Supervisors regarding the proposed General Plan Amendment. Gaylon Norwood, Deputy Director presented staff report.

The public hearing was opened at 1:29 p.m.

The public hearing was closed at 1:29 p.m.

Discussion was held by Commissioners and staff about the project.

MOTION:

It was moved by Commissioner Shaw, seconded by Commissioner Askew, and carried to recommend the Board of Supervisors approve the Lassen County file #700.12, Camping General Plan Amendment. Commissioners Askew, Higgins, Solomon, Clark and Shaw voted "Aye".



**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

PLANNING AND BUILDING SERVICES

SUBJECT: Proposed amendment of the Land Use Element of the Lassen County General Plan adding Goals, Policies and Implementation Measures for camping on private property and on county public property.

FISCAL IMPACT: Unknown.

ACTION REQUESTED: 1) Receive report from staff and recommendation of approval from the Planning Commission; and 2) conduct a public hearing as required by Government Code Section 65355; and 3) adopt a resolution adopting the Camping General Plan Amendment.

Director of Planning and Building Services Maury Anderson stated the proposed amendment of Land Use was to add goals and policies for camping on private, county, and public property. Recommendation from the Planning Commission was to conduct a public hearing and adopt the resolution. Director Anderson stated the next item was the ordinance and asked the board not to take action on this item and the proceeding item. Supervisor Albaugh asked if the public hearing still needed to be conducted. County Counsel Uhrhammer asked the board not to make a decision but to hold the public hearing.

The Public Hearing was open from 10:11 a.m. - 10:31 a.m.

SPEAKERS IN FAVOR: None.

SPEAKERS IN OPPOSITION: None.

Supervisor Gallagher briefly discussed the comments the public speakers had made. Supervisor Bridges stated he had read through the item and was not very happy with it. Briefly discussed tents and recreational vehicle sites. Supervisor Ingram stated he wanted to reiterate Supervisor Gallagher's statement and recommended the public to contact their supervisor. Supervisor Neely thanked everybody for coming and briefly discussed camp trailers. Supervisor Albaugh asked if there were an online format where the public could read to get an understanding of the amendment. Director Anderson informed the board the item was on the Lassen County Website where the agenda was published. County Counsel Uhrhammer stated there would be no action on this item at this time.

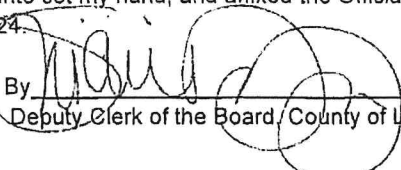
SPEAKERS: Tim Micone, Amy Hagen, Sue Cessnotti, Tonya Peddicord, Chris Cole, Denise Pickens, Scott Hagen, Robert Laird, and Mike Pickens.

County of Lassen County)
State of California) ss.

I, Michele J. Yderhaga, 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