



County of Lassen
Department of Planning and Building Services

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

May 3, 2024

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TO: Lassen County Board of Supervisors
Agenda Date: May 14, 2024

Zoning and Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

A blue ink handwritten signature of Maurice L. Anderson, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.

SUBJECT: Adopt an ordinance amending Sections 2.20.020 and 2.20.040 of Chapter 2.20
(Planning Commission) of the Lassen County Code.

ACTION REQUESTED:

1. Receive report; and
2. Introduce and waive the first reading.

Summary:

The Board of Supervisors requested the attached amendment of Section 2.20.020. The attached amendment would make removal of a Planning Commissioner a majority vote if motioned by the board member from the same district. Alternatively, if motioned by a board member from another district, a 4/5 vote would be required. Currently, a 4/5 vote is required for removal regardless of who makes the motion.

The proposed ordinance would also amend Section 2.20.040 to change the Planning Commissions compensation from \$25 for each meeting to \$50 dollars and \$75 for the Chair. The current amount was established with Ordinance 433 in 1978.

The current Chapter 2.20 is attached for reference.

MLA:gfn

Enclosures: Proposed Ordinance
Existing County Code Chapter 2.20

ORDINANCE NO. _____

Ordinance amending

The following ordinance, consisting of four 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 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 2.20.020 of the Lassen County Code is hereby amended to read as follows

Section 2.20.020 Title-Membership-Appointment-Term-Removal

- (a) The commission created in Section 2.20.010 shall be known as the “Lassen County Planning Commission.” It shall consist of five members, who shall be appointed or removed in the manner set forth in this section. Each member of the Board of Supervisors shall nominate one (1) member of the commission from electors of his or her supervisorial district and each member of the commission shall be appointed by the board of supervisors.
- (b) The term of each member of the commission shall coincide and be coexistent with the term of office of the member of the board of supervisors who nominated him or her; provided, however, a member of the commission may continue to serve until his or her successor is appointed by the board of supervisors. If a successor is not appointed by the board of supervisors, then that member’s term shall expire on March 31 following the expired term of office of the member of the board of supervisors who nominated the member.
- (c) If a member is not replaced by a successor or termed out in the manner provided in section 2.20.020(b) any member of the commission may be removed therefrom by a majority vote of the board of supervisor following a motion for removal by the member of the board of supervisors who represents the same district as the member subject to removal; alternatively, a member of the commission may be removed therefrom by a 4/5 vote of the board of supervisors.
- (d) If a vacancy shall occur in the membership of the commission, other than by expiration of term, it shall be filled by appointment for the unexpired portion of the term of the member of the board of supervisors nominating him or her.

SECTION FOUR: Section 2.20.040 (Compensation) is hereby amended to read as follows:

Section 2.20.040 Compensation

The members of the planning commission shall receive, as compensation for their services, the sum of fifty dollars for each meeting attended, and their travel expenses shall be compensated at the rate established for employees of Lassen County. The Chair shall receive the sum of seventy-five dollars for each meeting attended plus travel expenses.

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.

CHAPTER 2.20
PLANNING COMMISSION

§ 2.20.010. Creation.

A planning commission is created, under and by virtue of Title 7, Chapter 3 of the Government Code, and acts mandatory thereof.
(Ord. 433 § 1, 1978)

§ 2.20.020. Title—Membership—Appointment.

The commission created in Section 2.20.010 shall be known as the "Lassen County planning commission." It shall consist of five members, who shall be appointed in the manner set forth in this section. One member is to be appointed by each members of the board of supervisors from electors of his or her supervisorial district. Each such member shall serve for a term of four years, unless sooner removed or the prior expiration of such term as provided in this section. Any member may be removed for sufficient cause, as determined by a four-fifths affirmative vote of the board of supervisors, and the term of each member of the planning commission shall in any event expire on March 31st next following the election or appointment of the member of the board of supervisors of the supervisorial district in which such member of the planning commission resides.
(Ord. 433 § 1, 1978)

§ 2.20.030. Powers and duties.

The powers and duties of the planning commission shall be as provided in Title 7, Chapter 3 of the Government Code.
(Ord. 433 § 1, 1978)

§ 2.20.040. Compensation.

The members of the planning commission shall receive, as compensation for their services, the sum of twenty-five dollars for each meeting attended, and their travel expenses shall be compensated at the rates set forth in Sections 2.36.380 and 2.36.430.
(Ord. 433 § 1, 1978; Ord. 436 § 1, 1978)

§ 2.20.050. Organization.

At the first meeting of the planning commission in April of each year, the planning commission shall elect from its membership a chair and vice chair; provided that a person shall not be eligible to the office of chairman for more than two consecutive years in any term.
(Ord. 433 § 1, 1978)

§ 2.20.060. Tie vote, no action.

If any action, project or determination being considered by the planning commission results in a tie vote, or if no action is taken on said action, project or determination, said action, project, or determination will be presented to the board of supervisors for

§ 2.20.060

§ 2.20.060

a decision at no cost to the applicant, nor is it necessary to file an appeal for such consideration.

(Ord. 2022-11 § 2)