

TABLE OF CONTENTS

BOARD OF SUPERVISORS’ MEETING  
May 10, 2022

Draft ordinance repealing Architectural Requirements for “residential use”  
buildings as provided for at section 18.108.235 of the Lassen County Code  
(File #318.01.49)

Board Letter ..... 02

Draft Ordinance Repealing the Architectural Requirements Set Forth by Title 18..... 05

Planning Commission Memo, March 29, 2022 ..... 07

Packet from September 7, 2022 Planning Commission Meeting ..... 08



*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

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

April 29, 2022

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Environmental Health

Messages: 530 251-8528

email: EHE@co.lassen.ca.us

TO: Board of Supervisors  
 Agenda Date: May 10, 2022

FROM: Maurice L. Anderson, Director

RE: Draft ordinance repealing Architectural Requirements for “residential use” buildings as provided for at section 18.108.235 of the Lassen County Code (File #318.01.49)

**ACTION REQUESTED:**

- 1) Receive report from staff and recommendation of approval from the Planning Commission; and
- 2) Introduce and adopt, by title only, the proposed ordinance to repeal County Code section 18.108.235; or
- 3) Provide alternate direction to staff and the Planning Commission.

***Summary:***

There are currently architectural requirements that have been effective since 2009, pursuant to Lassen County Code section 18.108.235 (attached), that are applicable to “residential use” buildings. In summary, this section mandates that all residential use buildings in the specified zoning districts (even those areas not in a design review district) have 12 inches overhangs from the sides and gable ends, have at least a four in twelve roof pitch, and that metal siding be limited to no more than 50 percent of the building.

A design review application is required to vary from these requirements, even if a design review application would not have otherwise been required. Invariably, these applications are approved, resulting in a question as to why the Board has these standards in the first place since the result is simply a delay in construction of proposed buildings.

“Residential use” buildings (homes, shops, garages, etc.) that deviate from the architectural requirements set forth by Section 18.108.235 of the Lassen County Code are regularly approved through the design review process detailed in County Code Chapter 18.118, 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. Again, these standards trigger design review for projects that may not have otherwise been subject to design review. This significantly slows the permitting process.

Furthermore, the Department has not heard any complaints regarding the types of buildings that are approved in Lassen County, whether said buildings meet the architectural standards or not. Currently, 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 provided a report to the Planning Commission (attached) who ultimately recommended that section 18.108.235 be repealed or that the Board provide alternate direction regarding an ordinance the Board would like the Planning Commission to review concerning architectural requirements. The Board of Supervisors has the authority to adopt the proposed ordinance (attached) or provide alternate direction to staff and the Planning Commission.

***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 which would not be affected if section 18.108.235 were to be repealed. For example:

- Any District the Board of Supervisors has zoned with a "D" (Design) Combing 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.

Pertinent to this discussion, design review is currently 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 for "residential use" buildings, there are other sections of the Lassen County Code that are in place to regulate the appearance of buildings. Any action taken by the Board of Supervisors regarding said section 18.108.235 would not affect these other requirements. For example:

- 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 to projects subject to design review (e.g., the "Westwood Design Guidelines" – adopted by Board resolution - require a minimum 6 in 12 roof pitch).



Board of Supervisors  
Agenda Date" May 10, 2022  
Page 3 of 3

- 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***

Both staff and the Planning Commission recommend that section 18.108.235 be repealed or that the Board give alternate direction regarding requirements it would like to impose on residential use buildings that are not in design review districts. In accordance with the zoning amendment procedures codified at section 65853 et seq of the California Government Code, the Board can adopt the attached ordinance at this public hearing (e.g. there is no need to introduce the draft ordinance and adopt it at a subsequent meeting).

If the Board instead wants to consider an alternate ordinance, it will need to provide direction to staff and the Planning Commission. In which case, public hearings will be scheduled once an alternate ordinance is prepared.

MLA:gfn

Enclosures: Proposed Ordinance  
April 5, 2022, Planning Commission staff report  
April 5, 2022, Planning Commission minutes  
Lassen County Code Section 18.108.235

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

## Ordinance Repealing the Architectural Requirements Set Forth by Title 18

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 \_\_\_\_\_, 2021, by the following vote:

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

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

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

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

\_\_\_\_\_  
AARON ALBAUGH  
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:** Repeal Section 18.108.235 of the Lassen County Code, titled “Architectural Requirements,” in its entirety.

**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.



*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  
 Phone: 530 251-8269  
 Fax: 530 251-8373  
 email: landuse@co.lassen.ca.us  
 website: www.co.lassen.ca.us

March 29, 2022

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

FROM: Maurice L. Anderson, Director

Zoning & Building  
 Inspection Requests  
 Phone: 530 257-5263

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

C-1

August 24, 2021

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

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) Combing 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

S:/PLA/Admin/FILES/318.01.49/PC Memo

## Lassen County Code

[Up](#)      [Previous](#)      [Next](#)      [Main](#)      [Search](#)      [Print](#)      [No Frames](#)  
[Title 18 ZONING](#)  
[Chapter 18.108 SPECIAL PROVISIONS](#)

**18.108.235 Architectural requirements.**

- (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).

---

View the [mobile version](#).