



County of Lassen

Department of Planning and Building Services

• Planning

• Building Permits

• Code Enforcement

• Surveyor

• Surface Mining

August 19, 2021

DRAFT

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: Technical Advisory Committee
Agenda Date: September 2, 2021

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

RE: **USE PERMIT #2021-005, Mallery.** Proposal to construct a caretaker's residence at 474-445 Commercial Way. The subject parcel is zoned M-2 (Heavy Industrial District) and is designated "General Industry" per the *Susanville Vicinity Area Plan, 1984*. The project site is located approximately one-half mile southeast of the intersection of Johnstonville and Skyline Roads. APN: 116-070-028. Staff Contact: Gaylon Norwood, Assistant Director

The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:

1. The subject parcel is zoned M-2 (Heavy Industrial District).
2. The subject parcel is designated "General Industry" per the *Susanville Vicinity Area Plan, 1984*.
3. The subject parcel is partially in a "Zone A" 100-year flood zone as described by the Federal Emergency Management Agency (FEMA); however, the area proposed for the caretaker's residence is not in the 100-year-flood zone.
4. The applicant is proposing to construct a caretaker's residence accessory to a cargo container/equipment storage yard and truck storage facility.
5. According to Lassen County Code Section 18.44.040(16), the M-2 district allows for a "[c]aretaker's residence; provided that the permitted use requires the continuous supervision of a caretaker, superintendent or security person and the residence is to be occupied only by such person and his family" by use permit. The Planning Commission will determine whether the proposed caretaker's residence qualifies as a use allowed by use permit per the above.
6. The subject parcel is in a "Moderate" Fire Severity Zone in a Local Responsibility Area. Therefore, development is not subject to the 30-foot fire safety setback set forth by Lassen County Code Section 9.16.330. All development, including the proposed caretaker's residence, is subject to the zoning set forth by Lassen County Code Section 18.44.050.
7. The proposed caretaker's residence is subject to design review per Section 18.44.060(1) of the Lassen County Code.

8. All proposed lighting must comply with Lassen County Code Section 18.108.155, which states:

Unless otherwise provided in this title, the following lighting requirements shall apply: all lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location so as to constitute a hazard to vehicular traffic, either on private property or on abutting streets.

9. The *Susanville Vicinity Area Plan, 1984*, describes the “General Industry” land use designation as follows: “Provides for general light and heavy industrial and manufacturing uses, recognizing varying degrees of impacts and service requirements.”

10. The following policies from the *Lassen County General Plan, 2000* pertain to the project:

- *GOAL L-12: Increase community wealth and the provision of needed commercial services through economic growth and diversification by sustaining and facilitating the expansion of existing commercial operations and by encouraging new commercial ventures.*
- *LU29 POLICY: The County supports the economic viability of existing communities and will minimize the development of scattered commercial uses by directing commercial uses to existing town centers and commercial areas or the orderly expansion of such areas, with limited exceptions including home occupations, agricultural-related sales, and specially-considered local convenience and highway commercial sites.*
- *GOAL L-13: Improvement, expansion and diversification of the County’s industrial base and generation of related employment opportunities.*
- *LU32 POLICY: The County encourages and will facilitate the development of new, environmentally responsible industrial projects for the economic benefit of the County.*

11. Pursuant to Lassen County Code Section 18.112.030, the Technical Advisory Committee shall review all use permit applications and shall prepare recommended conditions of approval for consideration by the County (in this case, the Planning Commission).
12. The Environmental Review Officer recommends that the Planning Commission find the proposed project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15303 of the CEQA Guidelines.
13. Ultimately, the Planning Commission will determine whether the proposed project is consistent with the *Lassen County General Plan, 2000* (also see the above policies), unless the proposed

project is appealed to the Board of Supervisors, in which case, said body would determine the above.

The Planning Division of the Lassen County Department of Planning and Building Services recommends the following conditions be placed on the project if approved:

1. Noncompliance with any of the following use permit conditions shall constitute grounds for revocation of the use permit (pursuant to Lassen County Code Section 18.112.060).
2. The Use Permit shall be granted for the use as approved by the Planning Commission. Substantial revisions and/or expansions of the project will require a new Use Permit, subject to the approval of the Planning Commission.
3. Prior to obtaining a building permit, the applicant must have a design review application approved.
4. The applicant shall obtain all necessary building permits from the Lassen County Department of Planning and Building Services, and the caretaker's residence must pass a final inspection before issuance of the Authorization to Operate.
5. All lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location so as to constitute a hazard to vehicular traffic, either on private property or on abutting streets.



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August 17, 2021

DRAFT

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

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email: landuse@co.lassen.ca.us

website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: September 2, 2021

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Don Willis, Lassen County Surveyor

RE: Use Permit No. 2021-005 – The 2020 Mallery Family Trust.
Assessor's Parcel Number: 116-070-028.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The subject parcel is known as Assessor's Parcel Number 116-070-028 and title is currently vested in The 2020 Mallery Family Trust, with Terry Mallery and Ranielle Mallery as Trustees, as shown at a Grant Deed recorded on October 14, 2020 as Document No. 2020-04395 of the Official Records of Lassen County, California.
2. The subject parcel is located in a portion of the Northwest one-quarter of the Southwest one-quarter of Section 3, Township 29 North, Range 12 East, Mount Diablo Base and Meridian, in the Johnstonville area of Lassen County, California.
3. The legal description for the parcel noted in Findings Item Number One above describes the subject property with a metes and bounds description which results in a parcel that is represented by Assessor's Parcel Number 116-070-028, as is currently shown on Assessor's Parcel Map No. 116-07.
4. The subject parcel was created in compliance with the provisions of the Subdivision Map Act and local ordinances. This is based on a Joint Tenancy Grant Deed that was recorded on July 23, 1971 in Book 246, Page 402, of the Official Records of Lassen County. The legal description within this deed describes the exact same parcel as is described in the vesting deed. Since this conveyance was recorded prior to March 4, 1972 and it resulted from a land division of fewer than five parcels, it would be in compliance with the provisions of the Subdivision Map Act per Section 66412.6(a). In addition, permits have been issued by the Lassen County Building Department which constitutes "*real property which has been approved for development*" per Section 66499.34 of the Subdivision Map Act. This would allow a local agency to issue a Certificate of Compliance if requested by the owner of the real property.
5. The subject parcel adjoins and is accessed by Commercial Road, County Road No. 228, which is in the County maintained road system.

**LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS
FOR USE PERMIT NO. 2021-005 (THE 2020 MALLERY FAMILY TRUST):**

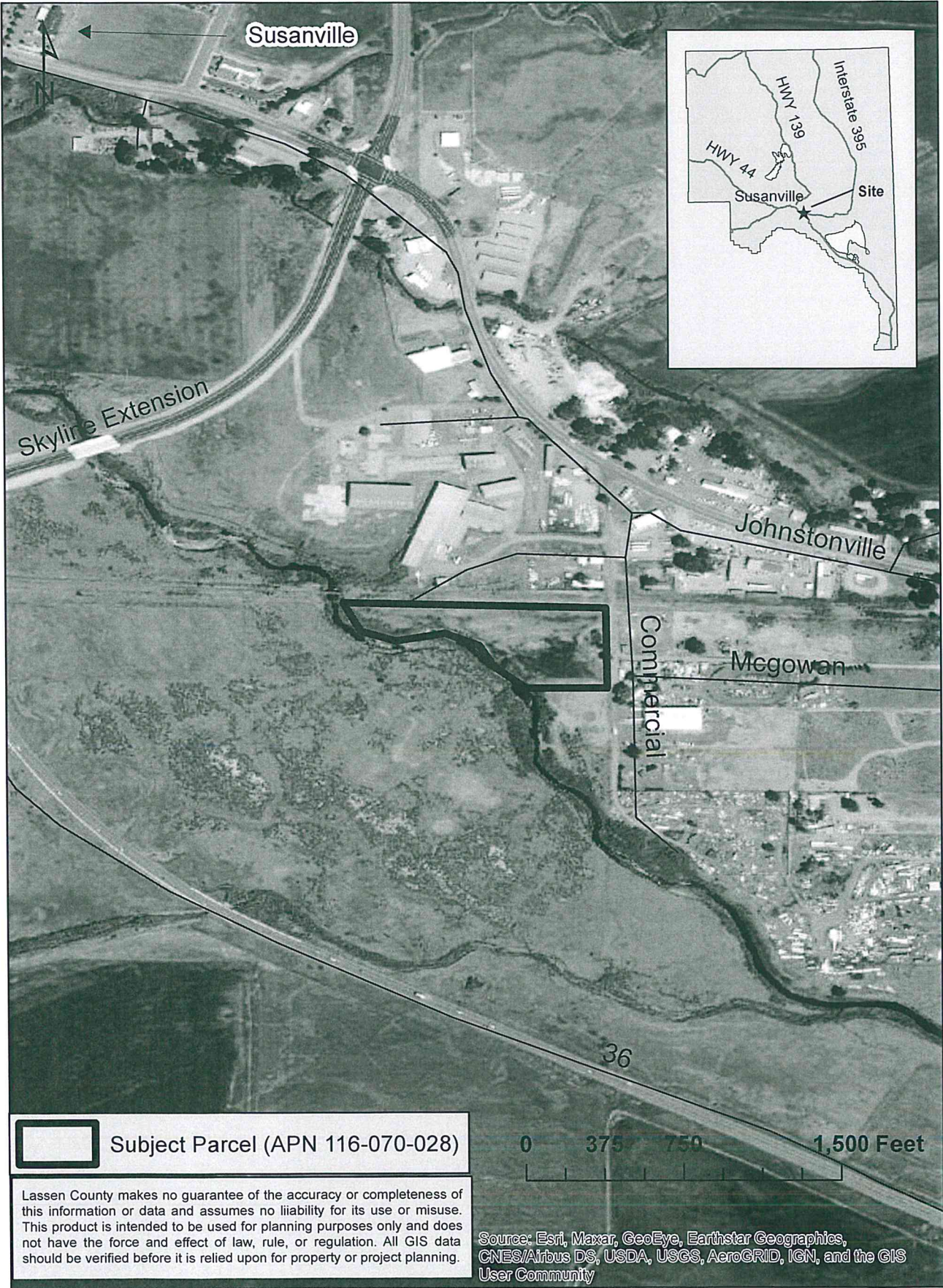
1. None.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor

Use Permit #2021-005, Mallery





USE PERMIT APPLICATION

FILING FEE: CLASS 1 \$742; CLASS 2 \$1,350; CLASS 3 \$1,350
and ENVIRONMENTAL HEALTH FEE: \$85

JUL 16 2021

DEPARTMENT OF PLANNING AND BUILDING SERVICES

707 Nevada Street, Suite 5 • Susanville, CA 96130-3912 LASSEN COUNTY DEPARTMENT OF

(530) 251-8269 • (530) 251-8373 (fax)

www.co.lassen.ca.us PLANNING AND BUILDING SERVICES

Form must be typed or printed clearly in black or blue ink. All sections must be completed in full.

This application consists of one page; only attach additional sheets if necessary.

FILE NO. UP2021-005

Property Owner/s	Property Owner/s
Name: TERRY MALLERY	Name:
Mailing Address: P.O. Box 270684	Mailing Address:
City, ST, Zip: Susanville CA 96127	City, ST, Zip:
Telephone: 530-257-3865 Fax:	Telephone: Fax:
Email: tmallery@frontier.net.net	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name:	Name:
Mailing Address:	Mailing Address:
City, ST, Zip:	City, ST, Zip:
Telephone: Fax:	Telephone: Fax:
Email:	Email: License #:

Project Address or Specific Location:			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: M-1	General Plan Designation:		
Parcel Size (acreage): 4 ACRES	Section:	Township:	Range:

Assessor's Parcel Number(s):	- -	- -	- -
116 -070 -28	- -	- -	- -

Project Description: Storage Yard - Gravel & Road Base surface as Finances allow. Fence perimeter with 6" Chain Link Fence. Install Electric Septic & Water on Property to allow for a Caretaker/Security Residence. Property will also be used as a Container and equipment Storage yard. Use Permit is asked for Caretakers/Security residence and to be used as a secure truck Storage yard.

SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT: I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application.	*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided).
Date: 7-15-2021	Date:
Date:	Date:

See associated process form for required attachments and instructions.

Lassen Rents, Inc.

P.O. Box 270684
Susanville, CA 96127
530-257-3865

3-29-2021

To: Lassen County Planning Department
Susanville, CA 96130

Subject: Storage Yard Development

APN: 116-070-28
474-445 Commercial Way
Susanville, CA 96130

I plan to improve the property at this location with the intent of using it as a storage yard. I would like to raise the property to help prevent flooding. I would like to also place in underground electricity and water (The water is supplied by a City of Susanville water main). An existing Septic system will be removed and replaced by a new Septic system. A house pad for a future caretaker residence will be developed. Followed by rock and gravel making an all-weather surface on approximately 3 acres. A 6' chain link fence with barbed wire top will fence the perimeter of the developed yard. Electric gates at the Commercial Road entrances are planned.


Terry Mallery

RECEIVED


AUG 16 2021

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Water

SCALE: 1"=100'
DECEMBER 28, 2018



 = Water

1" Water Line

Service From Commercial Road

CENTER OF
SUSAN RIVER

T. MALLERY
116-070-28
±4 ACRES

S 89°25'32" E ±300'

N 87°06'00" W ±950'
500' Faucet

150' Faucet
Stub For Future residence

N 00°12'22" W 334.36'

COMMERCIAL WAY


CENTERLINE S.P.R.R.

50' 50'

Gravel/Road Base

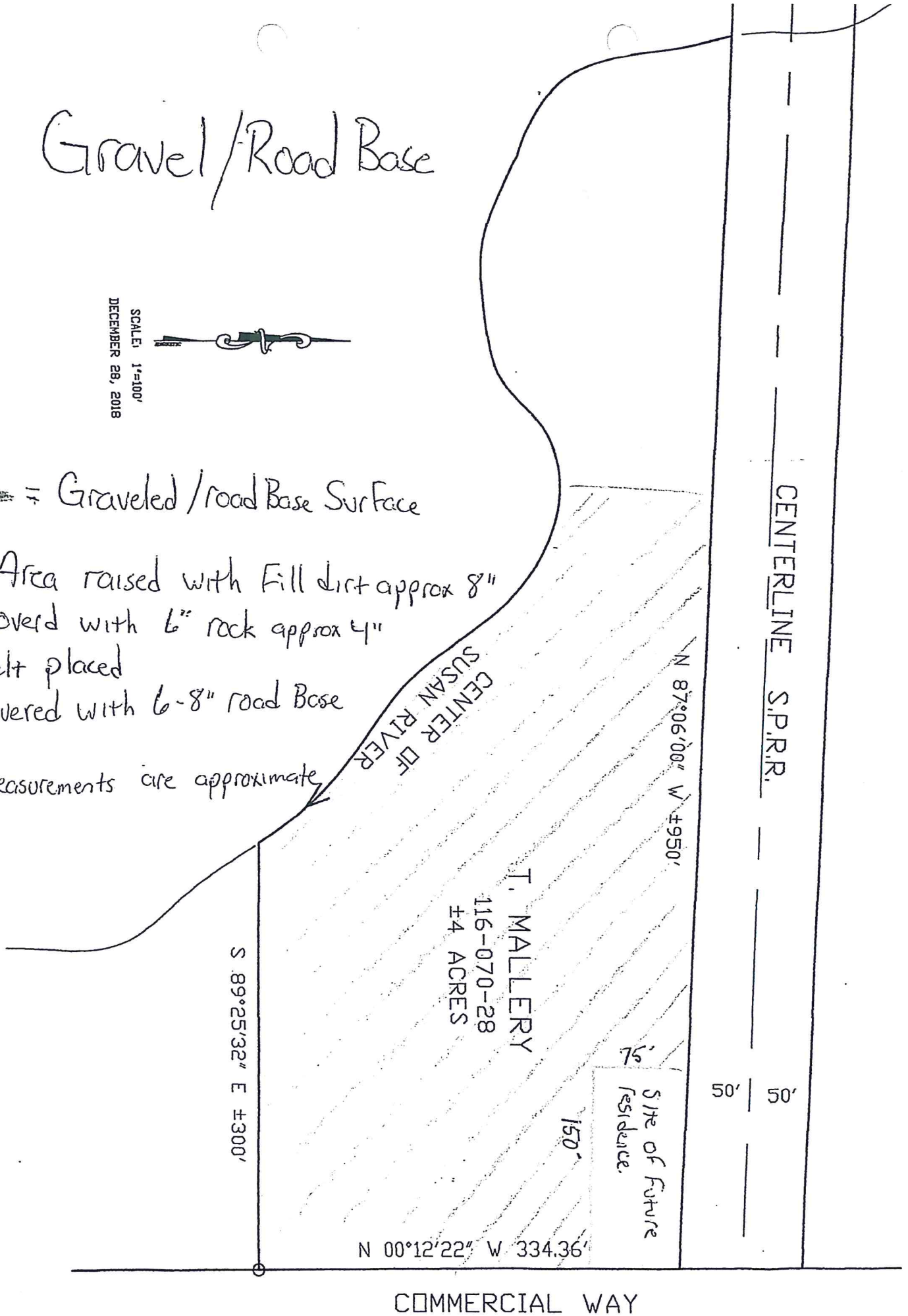
SCALE: 1"=100'
DECEMBER 28, 2018



 = Graveled/Road Base Surface

Area raised with Fill dirt approx 8"
Covered with 6" rock approx 4"
Felt placed
Covered with 6-8" road Base

All measurements are approximate



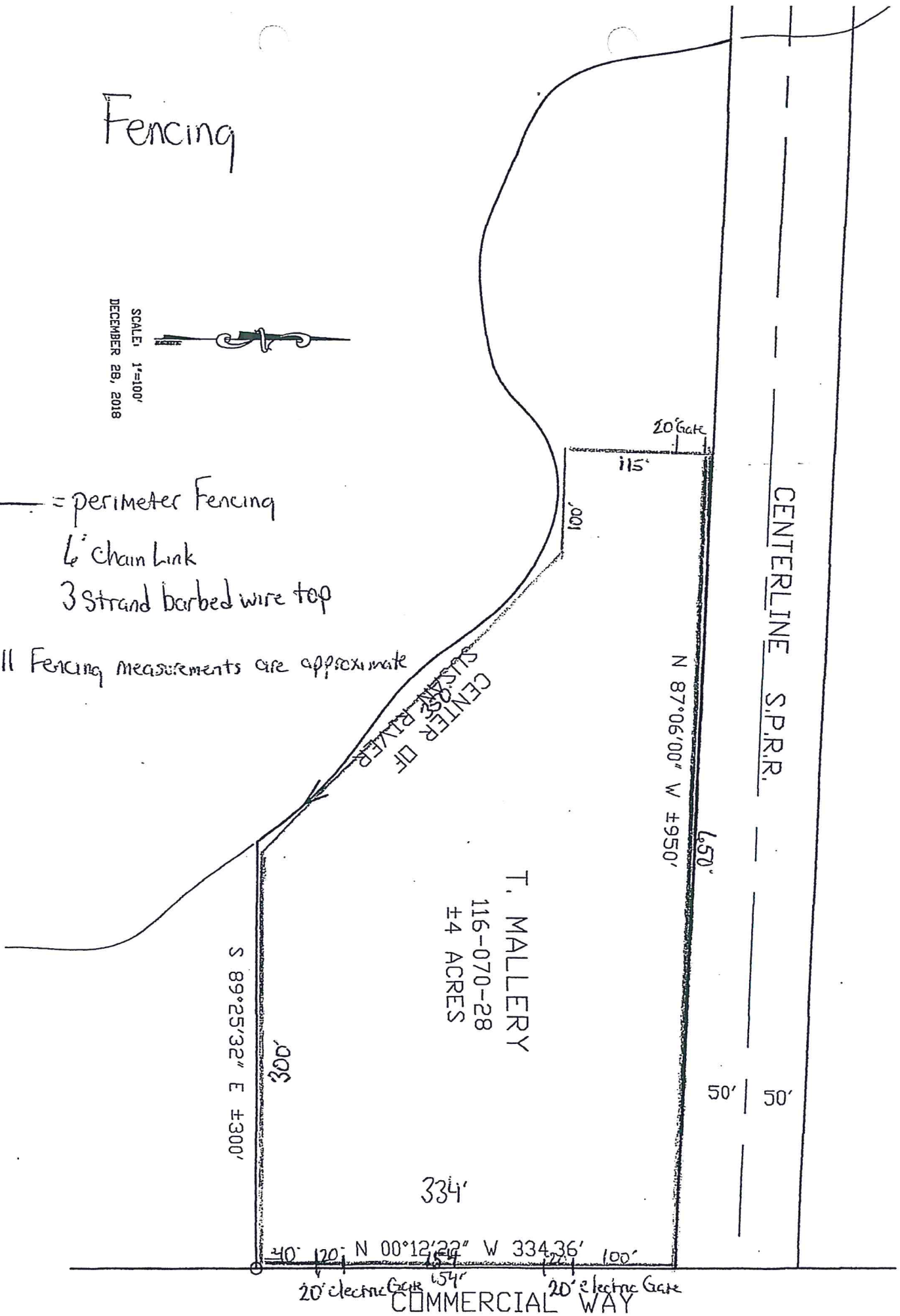
Fencing

SCALE: 1"=100'
DECEMBER 28, 2018



— = perimeter Fencing
6' Chain Link
3 Strand barbed wire top


All Fencing measurements are approximate



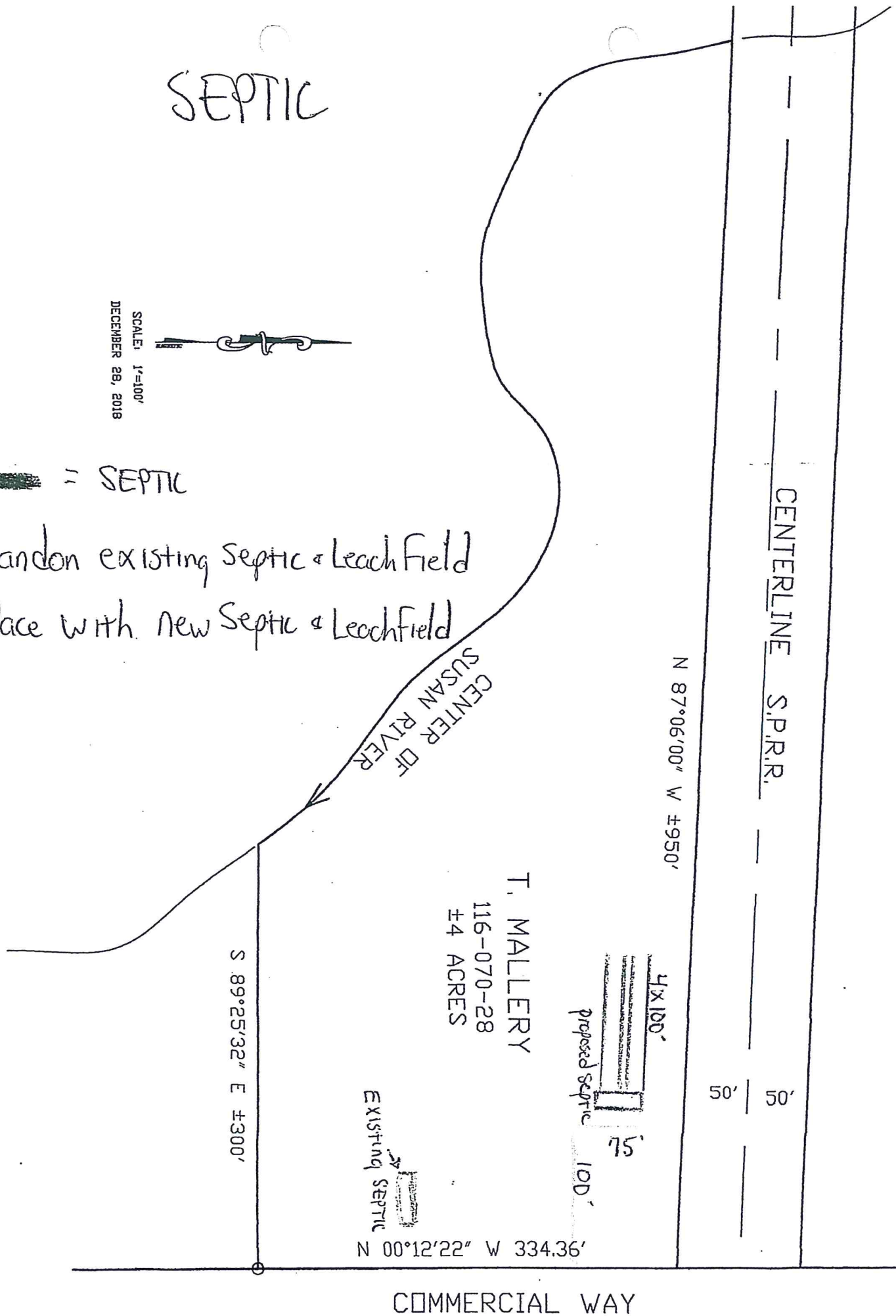
SEPTIC

SCALE: 1"=100'
DECEMBER 28, 2018



 = SEPTIC


Abandon existing Septic & Leach Field
replace with new Septic & Leach Field



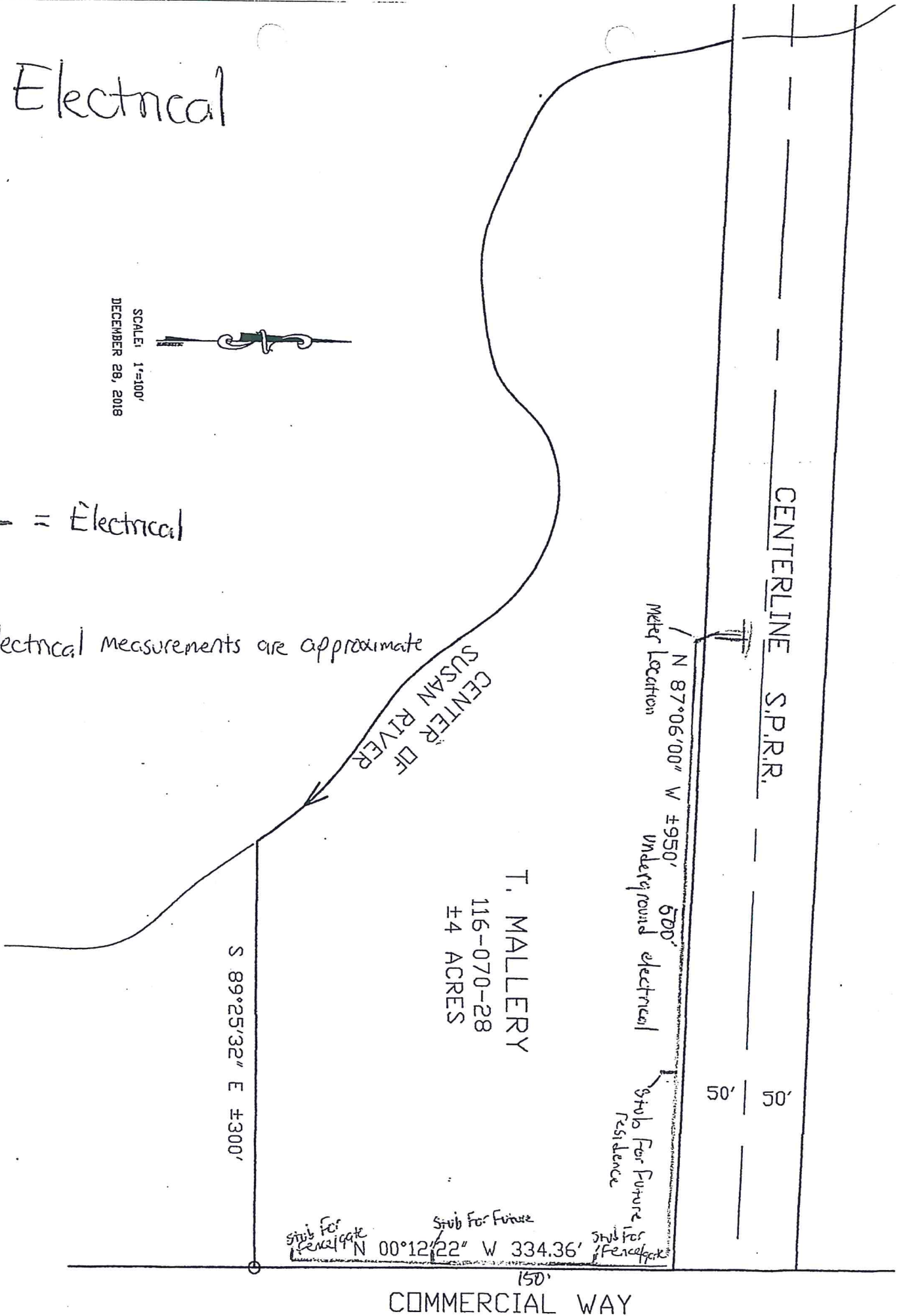
Electrical

SCALE: 1"=100'
DECEMBER 28, 2018



 = Electrical

All electrical measurements are approximate



CENTERLINE S.P.R.R.

Meter Location

N 87°06'00" W ±950' 500'

underground electrical

Stub For Future Residence

50'

50'

T. MALLERY

116-070-28

±4 ACRES

S 89°25'32" E ±300'

CENTER OF SUSAN RIVER

Stub For Fence

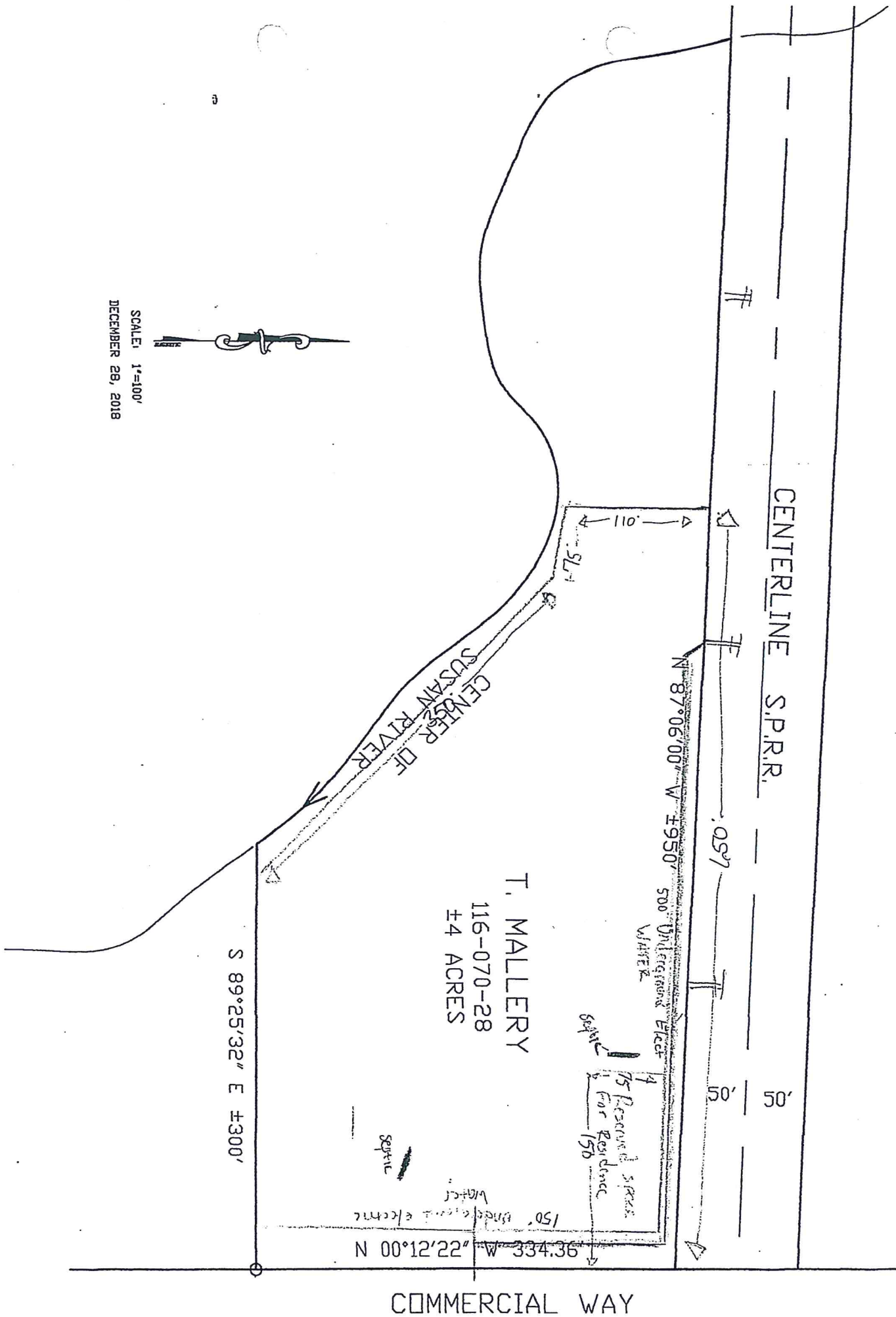
N 00°12'22" W 334.36'

Stub For Future

Stub For Fence

150'

COMMERCIAL WAY



SCALE: 1"=100'
DECEMBER 28, 2018

COMMERCIAL WAY

Residence

SCALE: 1"=100'
DECEMBER 28, 2018



Standard Mobil Home
2 or 3 bedroom with
detached Garage.
Selection of Mobil/Modular
Home pending approval
of use permit.

CENTER OF
SUSAN RIVER

T. MALLERY
116-070-28
±4 ACRES

S 89°25'32" E ±300'

N 00°12'22" W 334.36'

Mobil Home
Garage

N 87°06'00" W ±950'

CENTERLINE S.P.R.R.

50' 50'

COMMERCIAL WAY