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PLANNING COMMISSION MEETING March 1, 2022

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PROPERTY OWNER:	Schmitt Family Trust
APPLICANT:	Sylvia Schmitt
TYPE OF APPLICATION:	Use Permit

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LASSEN COUNTY PLANNING COMMISSION
STAFF REPORT
March 1, 2022

FILE NUMBER:	UP #2021-008
APPLICANT:	Schmitt Family Trust; Sylvia Schmitt
TYPE OF APPLICATION:	Use Permit
GENERAL LOCATION:	Spalding, CA
ASSESSOR'S PARCEL NUMBERS:	077-182-002, 077-182-004, 077-182-011, 077-183-003, 077-183-005, 077-183-007, 077-183-012 and 077-183-020
ZONING:	C-T-D (Town Service Design Combining District)
GENERAL PLAN:	"Existing Commercial," per the <i>Eagle Lake Area Plan, 1982</i>
APPEAL:	Lassen County Code Section 18.112.050 states that "any person not satisfied with the action of the planning commission... may, within ten days of the notice of the commission's action, appeal in writing to the board of supervisors."
ENVIRONMENTAL DOCUMENT:	Exempt from CEQA review pursuant to Sections 15061(b)(3) and 15162 of the Guidelines
ASSIGNED STAFF:	Nancy McAllister, Senior Planner

AUTHORITY FOR APPLICATION:

Use Permit Provision, Lassen County Code Section 18.112 et seq. established regulations
Uses Allowed by Use Permit in C-T District, Lassen County Code Section 18.34.040(3)

REGULATING AGENCIES:

<u>Agency</u>	<u>Identified Permits/Approvals</u>
Planning Commission	Use Permit
Planning and Building Services	Building Permits
Environmental Health	Sewage Disposal Permits or Approvals (if necessary)
Public Works	Encroachment Permit
Lahontan Regional Water Quality Control Board	Discharge Permits or Approvals (if necessary)
California Department of Housing and Community Development	Permit; Sewage Disposal Permits or Approvals (if necessary)

PROJECT DESCRIPTION: The applicant is proposing to expand the existing Eagle Lake RV Park by an additional 8 recreational vehicle spaces. The proposed spaces will average from 27 feet wide by 60 feet long to 30 feet wide by 60 feet long, each with a 12-foot-wide parking pad and picnic table, with access provided by a 12-foot-wide driveway running south from the existing store to Spruce Way. The driveway and parking/RV pads are proposed to be paved the second year after installation and all utilities are proposed to be underground (utilities include public sewer, water from park well, electricity, and satellite television).

BACKGROUND: The existing 63-unit Eagle Lake RV Park was permitted under Use Permit #6-08-87 (62 RV spaces and one mobile home).

PROJECT SITE CHARACTERISTICS: The project site is located at the intersection of The Strand and Spruce Way in Spalding, CA, approximately 30 miles north of Susanville. According to the applicants, existing improvements on the subject parcels include a utility pole on APN 077-182-011 and playground equipment on APN 077-183-020. The subject parcels are zoned C-T-D (Town Service Design Combining District) and have a General Plan land use designation of “Existing Commercial,” per the *Eagle Lake Area Plan, 1982*. The subject parcel is in the State Responsibility Area (SRA) for fire protection (“Moderate” Fire Hazard Severity Zone) and is located within the Federal Emergency Management Agency (FEMA) Flood Zone “X”, which is not part of the 100-year flood zone as described by FEMA.

ACCESS/REQUIREMENTS: Access to the project site is from The Strand and Spruce Way. The Department of Public Works did not recommend conditions at the November 4, 2021, Technical Advisory Committee meeting.

SURROUNDING PROPERTY CHARACTERISTICS AND ZONING: Parcels in the vicinity consist of agricultural residential parcels to the north, northeast, east, southeast, south, west, and northwest, and an agricultural parcel to the southwest:

	Zoning	Parcel Size (acres)	Land Use Designation (<i>Janesville Planning Area, 1993</i> and <i>Lassen County General Plan, 2000</i>)
North	C-T-D*	0.28 & 0.48	“Existing Commercial”
East	I-1** & O-S***	373	Other
South	C-T-D*	0.55 & 0.33	“Existing Commercial”
West	C-T-D*	7.85 & 0.41	“Existing Commercial”

*C-T-D (Town Service Design Combining District)

**I-1 (Institutional Use District)

***O-S (Open Space District)

ZONING: The subject parcels are zoned C-T-D (Town Service Design Combining District). Lassen County Code Section 18.34.040(3) allows for “recreational vehicle parks” by use permit in the C-T zoning district.

GENERAL PLAN: The subject parcel is designated “Existing Commercial” in the *Lassen County General Plan, 2000*, per the *Eagle Lake Area Plan, 1982*. Said designations is described as follows:

V-13-B Commercial

Policy:

Commercial uses and development in the Eagle Lake Planning Area should continue to be oriented to recreation and convenience shopping needs, goods and services of the lake residents, campers and day use visitors.

The appearance of commercial buildings and establishments are to be consistent with the character of the area. "Supermarket style" developments as typically found in urbanized areas would be inappropriate in the Eagle Lake Planning Area.

Existing commercial uses and proposed locations in the Spaulding Tract and Stones communities, Eagle Lake Resort and the Eagle Lake Marina that are designated in the Plan and zoned for such use should accommodate the commercial related needs around Eagle Lake for the planning period.

A proposed commercial "village-type" center is proposed to be located on the north side of the intersection of Eagle Lake Road and Gallatin Road at the south end of the lake. When developed, this site would serve as the recreational service center for the south portion of the lake with commercial uses including outlets and services such as a general store, recreation supplies, gas pumps and a restaurant. The complex is to be compact, incorporating architectural design and appearance that is harmonious and non-disruptive to the setting and character of the area. The planned adjoining recreational facilities could include housekeeping cabins, campgrounds and a recreational vehicle park. Development at all locations should be timed by need with regards to services already available locally as well as in Susanville.

Implementation:

All commercial locations as designated by this Plan should be zoned to incorporate “D”, Design Control combining districts, to enhance the viability of the commercial uses and to ensure that the design and appearance of such uses are compatible to the setting and community in which they are located.

The proposed use permit is consistent with the “Existing Commercial” land use designation.

LOCAL GOVERNMENTAL SERVICES:

- Fire protection is provided by the Spalding Fire Department
- Police protection is provided by the Lassen County Sheriff’s Department
- Susanville Elementary School District
- Lassen Union High School District
- Spalding Community Services District
- Lassen Municipal Utilities District

LASSEN COUNTY CODE: Lassen County Code Section 18.112.035 et seq. grants the Planning Commission the authority to approve, conditionally approve, or deny use permit applications in accordance with the findings set forth at Lassen County Code Section 18.112.100, found below:

18.112.035 Planning commission review of applications.

(b) If a use permit application is to be considered without a related general plan amendment and/or rezone application as described above, the planning commission shall have the authority to approve, conditionally approve or deny the use permit application, subject to the appeal provisions of this chapter. (Ord. 467-AC § 30, 2003; Ord. 467-H § 2, 1991).

18.112.100 Mandatory findings.

The following findings shall be made by the planning commission or board of supervisors, as applicable, in conjunction with any other findings which may be considered for the approval or denial of a use permit application:

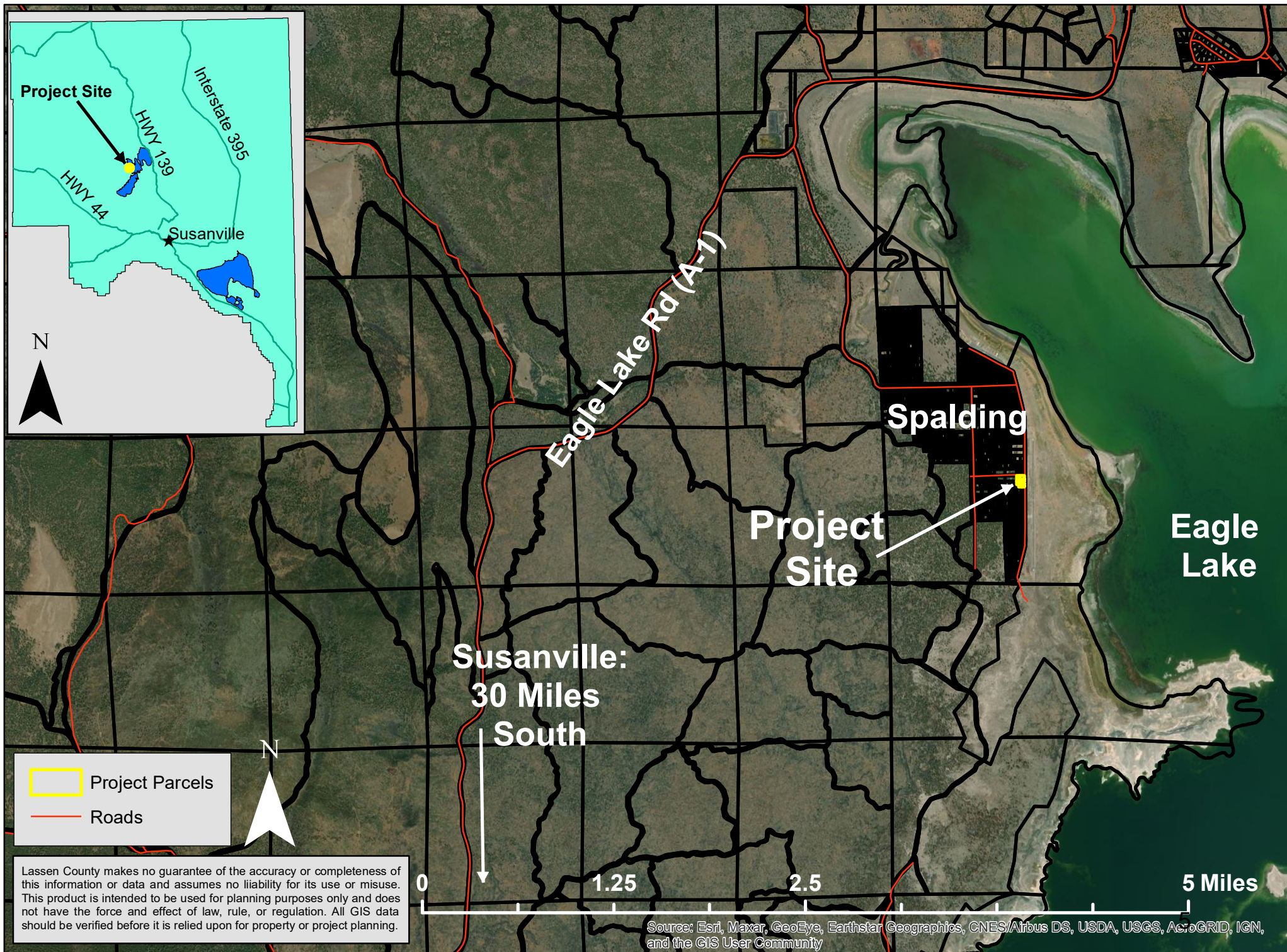
(1) That the project will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.

(2) That the project is or is not consistent with the Lassen County general plan, or any applicable area plan or resource plan adopted as part of the general plan. (Ord. 467-H § 2, 1991).

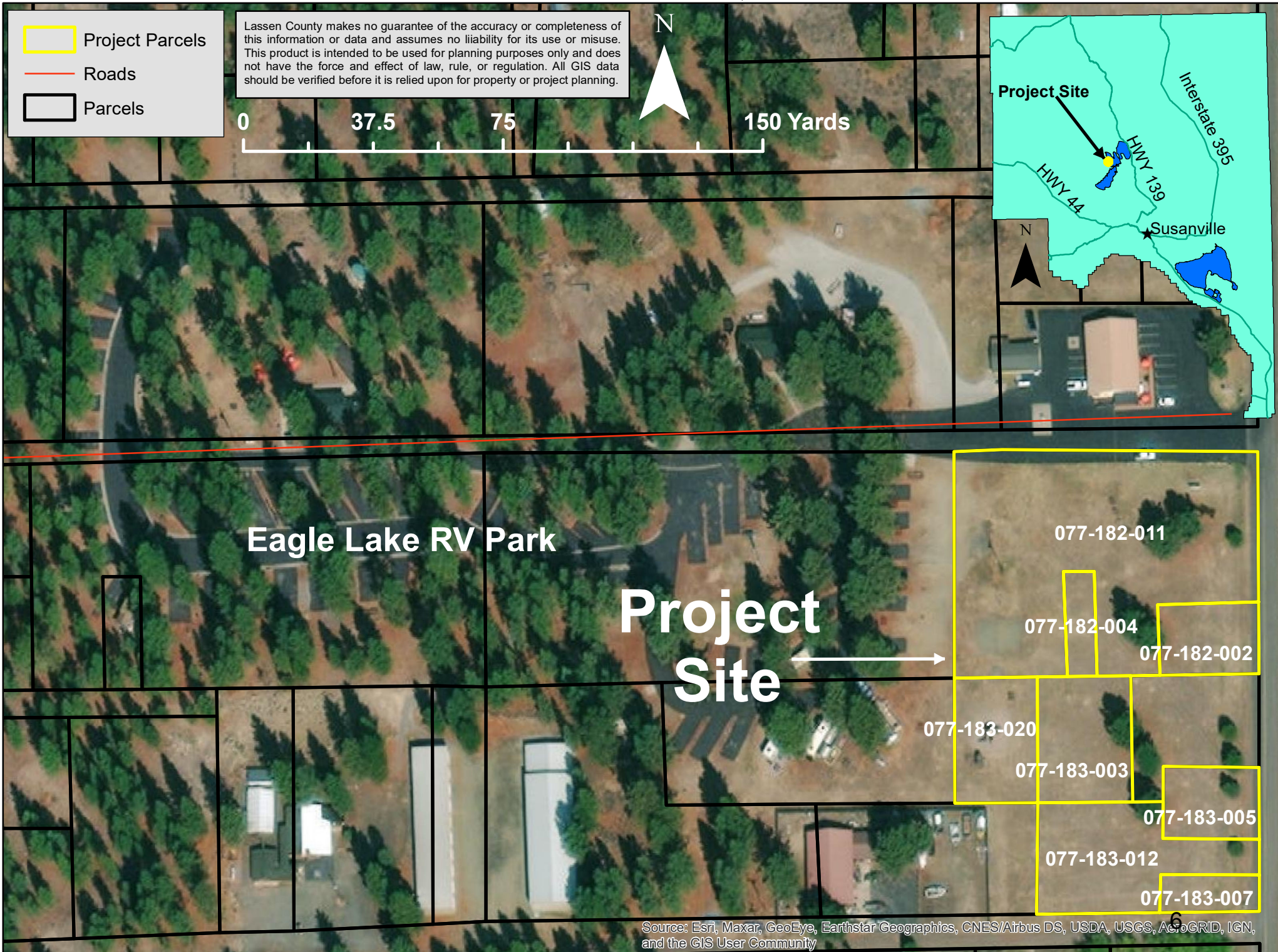
ENVIRONMENTAL DOCUMENT: The Environmental Review Officer of Lassen County has determined that this project is exempt from California Environmental Quality Act (CEQA) under Sections 15061(b)(3) and 15162 of the CEQA Guidelines.

FINDINGS and/or RECOMMENDATIONS BY TAC: The Technical Advisory Committee (TAC) met on February 3, 2022, and has developed recommended findings and conditions for consideration by the Planning Commission. The recommended findings and conditions can be found in the memos to the TAC attached to this staff report. In addition, the recommended conditions can be found in Exhibit “A” of a draft resolution that is included in this packet.

Use Permit 2021-008, Schmitt



Use Permit 2021-008, Schmitt



RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING
USE PERMIT APPLICATION #2021-008, SCHMITT

WHEREAS, the Planning Commission of Lassen County, after due notice and a public hearing conducted March 1, 2022, has considered Use Permit Application #2021-008 filed by Sylvia Schmitt (property owner) to expand the existing Eagle Lake RV Park by an additional 8 recreational vehicle spaces; and

WHEREAS, Lassen County Code Section 18.112.100 sets forth mandatory findings that the Lassen County Planning Commission must make when considering a use permit application; and

WHEREAS, the Environmental Review Officer has determined that this project is exempt from California Environmental Quality Act (CEQA) under Sections 15061(b)(3) and 15162 of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds as follows:
 - a. That the proposed project is consistent with the *Lassen County General Plan, 2000*, Lassen County Code Chapter 18.34, and the provisions of Lassen County Code Chapter 18.112, which establish the regulations regarding the issuance of Use Permits.
 - b. That the project, as conditioned, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or to the general welfare.
3. The Lassen County Planning Commission hereby adopts the recommended findings and conditions of the Technical Advisory Committee, contained in the memorandum provided for the March 1, 2022, Planning Commission meeting.
4. The Planning Commission hereby concurs with the Environmental Review Officer that the project qualifies for exemption, pursuant to Sections 15061(b)(3) and 15162 of the CEQA Guidelines.
5. The Lassen County Planning Commission hereby approves Use Permit #2021-008, Schmitt, subject to the conditions of approval set forth in Exhibit "A" attached hereto.

RESOLUTION NO. _____

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 1st day of March, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT “A”
CONDITIONS OF APPROVAL FOR
USE PERMIT #2021-008, SCHMITT

1. Noncompliance with any of the following use permit conditions or demonstration of any use not allowed by this use permit 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 described herein and as approved by the Planning Commission. Revisions and/or expansions of the project, considered to be substantial by the Department of Planning and Building Services, will require a new use permit, subject to the approval of the Planning Commission.

Pre-operational Conditions
(Must be satisfied before issuance of the Authorization to Operate)

3. The applicant shall obtain all necessary approvals and permits from the California Department of Housing and Community Development.
4. The applicant shall submit a notice of intent (NOI) with the Lahontan Regional Water Quality Control Board (LRWQCB) to allow construction of the proposed project, and the applicant shall secure all permits required by the LRWQCB. If no permits are required by the LRWQCB, the applicant shall submit a letter from the LRWQCB stating such, prior to issuance of the Authorization to Operate.
5. The applicant shall secure all applicable approvals from approvals from Lassen County Environmental Health, Public Works Department, and Fire Warden.
6. The applicant shall secure a “will serve” from the Spalding Community Services District for the proposed additional 8 units.
7. A new building site designation number shall be obtained in coordination with the Spalding Community Services District and the Lassen County Planning and Building Department, to encompass all parcels related to the existing Eagle Lake RV Park and all parcels related to the proposed expansion. Said building site designation number shall be recorded in accordance with section 12.12.021 (*Designation of sites at Spaulding Eagle Lake Tract*) of the Lassen County Code, prior to the issuance of any permits for development by the Lassen County Building Department.
8. The applicant shall obtain all necessary building permits from the Lassen County Department of Planning and Building Services and/or the California Department of Housing and Community Development before the commencement of construction.
9. All “recreational vehicle or mobile home parks access requirements” of Lassen County Code Section 9.16.370 shall be met to the satisfaction of the Lassen County Fire Warden.

10. All water supply requirements for “recreational vehicle or mobile home parks [five to fifteen spaces] where fire department services are available” of Lassen County Code Section 9.16.390 shall be met to the satisfaction of the Lassen County Fire Warden.

Operational Conditions
(Must be satisfied during operation of the use permit)

11. All applicable operational conditions of Use Permit #6-04-87 shall remain in effect.
12. The applicant shall implement best management practices during construction of the project to reduce air emissions. These best management practices shall include, but are not limited to, watering roads and graded areas, and reducing vehicle speed during construction.
13. Pursuant to Lassen County Code Section 18.108.155, 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.
14. Any added signage shall comply with the provisions of Lassen County Code Chapter 18.106.
15. No trees shall be removed from the project site, in order to minimize disruption to natural vegetation, in accordance with the *Eagle Lake Area Plan, 1982*.
16. All future utility connections shall be placed underground unless otherwise approved by the Planning Commission or Board of Supervisors.
17. All recreational vehicles (RVs) and/or park models visiting or located on the project site shall be properly registered and in operable condition or shall be subject to abatement in accordance with Lassen County Code Chapter 1.19.
18. In the event that any archaeological or cultural resources are discovered during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist, who shall be retained at the project proponent’s expense, is consulted to assess the find’s significance and recommend appropriate mitigation measures. The project proponent shall implement any mitigation measures recommended by the archaeologist to reduce potentially significant impacts cultural resources to a less than significant level.

TECHNICAL ADVISORY COMMITTEE
RECOMMENDED FINDINGS AND CONDITIONS

February 3, 2022

Use Permit #2021-008, Schmitt

Use Permits:

- ☒ County Planning Director (present, findings and conditions)
- ☒ County Public Works Director (present, no findings or conditions)
- ☒ County Surveyor (present, findings and conditions)
- ☒ County Sanitarian (present, no findings or conditions)
- ☒ County Fire Warden (present, findings and conditions)
- ☒ County Assessor (present, no findings or conditions)



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

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email: landuse@co.lassen.ca.us

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January 25, 2022

TO: Technical Advisory Committee
Agenda Date: February 3, 2022

Zoning & Building

Inspection Requests

Phone: 530 257-5263

Environmental Health

Messages: 530 251-8528

email: EHE@co.lassen.ca.us

FROM: Maurice L. Anderson, Director 

RE: **USE PERMIT #2021-008, Schmitt:** The applicant is proposing to expand the existing Eagle Lake RV Park by an additional 8 recreational vehicle spaces. The subject parcels are zoned C-T-D (Town Service Design Combining District) and have a General Plan land use designation of "Existing Commercial," per the *Eagle Lake Area Plan, 1982*. The project site is located at the intersection of The Strand and Spruce Way in Spalding, CA, approximately 30 miles north of Susanville. Assessor's Parcel Numbers 077-182-002, 077-182-004, 077-182-011, 077-183-003, 077-183-005, 077-183-007, 077-183-012 and 077-183-020. Staff Contact: Nancy McAllister, Senior Planner.

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

1. Pursuant to Lassen County Code Section 18.112.030, the Technical Advisory Committee shall review all use permit applications (and amendments) and shall prepare recommended conditions of approval for consideration by the County (in this case, the Planning Commission).
2. The subject parcels are zoned C-T-D (Town Service Design Combining District).
3. The subject parcels have a General Plan land use designation of "Existing Commercial," per the *Eagle Lake Area Plan, 1982*.
4. The applicants are proposing to expand the existing Eagle Lake RV Park by an additional 8 recreational vehicle spaces. The proposed spaces will average from 27 feet wide by 60 feet long to 30 feet wide by 60 feet long, each with a 12-foot-wide parking pad and picnic table, with access provided by a 12-foot-wide driveway running south from the existing store to Spruce Way. The driveway and parking/RV pads are proposed to be paved the second year after installation and all utilities are proposed to be underground (utilities include public sewer, water from park well, electricity, and satellite television).
5. The project site is located at the intersection of The Strand and Spruce Way in Spalding, CA, approximately 30 miles north of Susanville. Assessor's Parcel Numbers 077-182-002, 077-182-004, 077-182-011, 077-183-003, 077-183-005, 077-183-007, 077-183-012 and 077-183-020.

6. The subject parcels are not within the 100-year flood zone as described by the Federal Emergency Management Agency (FEMA).
7. Lassen County Code Section 18.34.060(4) states that “design review shall be required for all structures” in the C-T zoning district, and Section 18.86.030 states that “in any district which is combined a D district, review and approval of an application for design approval shall be secured for the construction of any building, structure or other significant external improvement as provided for in Chapter 18.118 of this title entitled design review.”
8. This use permit application shall serve the purpose of design review for design of the proposed expansion. Any future improvements or structures not contemplated in the current application would be subject to additional design review.
9. According to the applicants, existing improvements on the subject parcels include a utility pole on APN 077-182-011 and playground equipment on APN 077-183-020.
10. Lassen County Code Section 18.34.040(3) allows for a “recreational vehicle park” by use permit in the C-T zoning district and the existing 63-unit Eagle Lake RV Park was permitted under Use Permit #6-08-87 (62 RV spaces and one mobile home).
11. All conditions and mitigations of existing use permits related to the Eagle Lake RV Park would remain remain in full force and effect, unless specifically changed by conditions of the present use permit, if approved.
12. The following goals, policies, and implementation measures best inform the project’s consistency with the *Lassen County General Plan, 2000*, as amended by the *Eagle Lake Area Plan, 1982*:

Eagle Lake Area Plan, 1982

III. GOALS AND OBJECTIVES

LAND USE / GROWTH / DEVELOPMENT

- *That physical development and its visual character be in consonance with the natural features and constraints of the environment and the community in which it is located.*
- *That physical development be balanced with the services and facilities available to support it.*
- *That the rate of growth and development be commensurate with and not exceed the ability of the service system and environment to assimilate it.*

SOCIAL / CULTURAL

- *Provide equity and balance in opportunity and access to public resources, creational facilities, and housing for permanent and seasonal residents and seasonal tourists and recreationists of all socio-economic groups at a level and intensity commensurate with the maintenance of environmental quality.*

V. POLICY / IMPLEMENTATION

V-12 RECREATION

Policy:

Recreational activities and uses are to continue to be of an outdoor and lake oriented character at a level and intensity in keeping with a quality recreational experience compatible with the maintenance of the unique values and environment of Eagle Lake.

Recreational facility development (i.e., campgrounds, picnic areas, recreational vehicle parks, marinas) should continue to be public in nature and held to those now in existence. Future demand for additional facilities, only if warranted, should be accommodated by the expansion of existing facilities prior to the development of new recreational sites as designated in the Plan. Private recreation is not to be precluded, provided that it is open to the general public. Any such expansion of existing facilities or new site development of recreational facilities will require an appropriate level of environmental impact analysis to ensure environ-mental protection and consistency with the policies of this Plan...

V-13 COMMUNITY LAND USE

V-13-A Residential

Policy:

4. *The design and appearance of structures, appurtenances, landscaping and other improvements associated with residential development shall be visually compatible with the individual building site, as a part of the residential development project, and the general environmental setting of the area.*

5. *Minimize disruption of native vegetation and soils - all roads, bridges, retaining walls, structures and utility corridors to be constructed with a minimum impact on the natural vegetation. All disturbed lands to be revegetated and/or mechanically stabilized with natural appearing materials compatible to the setting.*

6. *Individual lot landscaping shall be compatible with the setting and comply with the State Fire Safe Guides of 1980.*
7. *Residential development shall comply with the fire safe provisions of the Public Safety Element of the General Plan.*
9. *Underground utilities as appropriate.*
10. *Design to provide for efficient and adequate provision of appropriate wastewater treatment, water supply facilities, and erosion and surface drainage controls.*

Implementation:

The following guidelines are to be used for the implementation of design policies and to serve as the basis for administrative criteria for review of individual building and new residential development project applications in areas or districts that are subject to design control.

- a. *Landscaping: The natural vegetative cover should be preserved or reestablished to the extent feasible.*
- b. *Grading and Drainage: All grading should conform smoothly to natural contours. Alteration of natural grade should be minimized (e.g. cut and fills minimized). Avoid concentration of runoff waters.*
- c. *Exterior colors and finish of buildings: Color schemes for buildings are to be compatible with the setting utilizing tones and colors that appear harmonious with the site. Exterior materials, finishes and colors are to be non-reflective such as provided by the natural appearance of woods or stain finishes.*
- d. *Roof treatments: Shake, shingle and metal roofs are to be non-reflective with color compatible to the building and setting.*
- e. *Building heights: Structure height and silhouette should appear compatible on the natural landscape and integrate with the height of surrounding vegetation, rock outcrops, etc.*
- f. *Accessory buildings: Accessory or outbuildings should be minimized. Where needed, they should relate architecturally with primary buildings and/or be screened from view.*
- g. *Outdoor lighting: The light source of any exterior lighting fixture should not be visible from neighboring property. (Illumination of neighboring property should be avoided.)*
- h. *Fences and screening for residences: Rigid delineation of lot lines that is visually intrusive should be avoided. Service yards (e.g. garbage containers, clotheslines, etc.) should be visually screened, particularly in cluster developments.*

- i. Tanks: All fuel tanks, water tanks or similar facilities should be visually compatible and/or concealed so as not to be visible from roads or neighbor-ing property. Such facilities are to have non-glare surfaces.
- j. Utilities: Above ground utilities should be minimized where allowed, telephone and power poles should be located along natural edges in vegetation, within forested areas, on opposite sides of roads from visual attraction, below ridge lines to avoid silhouetting on the sky line, and be raptor proof. The underground placement of power and telephone utilities is encouraged and should use common trenches under road shoulders where possible.

V-13-B Commercial

Policy:

Commercial uses and development in the Eagle Lake Planning Area should continue to be oriented to recreation and convenience shopping needs, goods and services of the lake residents, campers and day use visitors.

The appearance of commercial buildings and establishments are to be consistent with the character of the area. "Supermarket style" developments as typically found in urbanized areas would be inappropriate in the Eagle Lake Planning Area.

Existing commercial uses and proposed locations in the Spaulding Tract and Stones communities, Eagle Lake Resort and the Eagle Lake Marina that are designated in the Plan and zoned for such use should accommodate the commercial related needs around Eagle Lake for the planning period...

Implementation:

All commercial locations as designated by this Plan should be zoned to incorporate "D", Design Control combining districts, to enhance the viability of the commercial uses and to ensure that the design and appearance of such uses are compatible to the setting and community in which they are located.

- 13. The Planning Commission will determine whether the proposed project is consistent with the *Eagle Lake Area Plan, 1982*, and the *Lassen County General Plan, 2000*, unless the proposed project is appealed to the Board of Supervisors, in which case, said body would determine the above.
- 14. This Department finds that the proposal is in compliance with the Town Service District.
- 15. A negative declaration was certified by the Lassen County Planning Commission for the existing Eagle Lake RV Park on September 2, 1987 (Initial Study #6-02-87, Use Permit #6-08-87), and a notice of determination was filed on September 17, 1987.

16. The Environmental Review Officer has determined that the proposed project is exempt from the provisions of the California Environmental Quality Act under sections 15061(b)(3) and 15162 of the guidelines.

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

1. Noncompliance with any of the following use permit conditions or demonstration of any use not allowed by this use permit 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 described herein and as approved by the Planning Commission. Revisions and/or expansions of the project, considered to be substantial by the Department of Planning and Building Services, will require a new use permit, subject to the approval of the Planning Commission.

**Pre-operational Conditions
(Must be satisfied before issuance of the Authorization to Operate)**

3. The applicant shall obtain all necessary approvals and permits from the California Department of Housing and Community Development.
4. The applicant shall submit a notice of intent (NOI) with the Lahontan Regional Water Quality Control Board (LRWQCB) to allow construction of the proposed project, and the applicant shall secure all permits required by the LRWQCB. If no permits are required by the LRWQCB, the applicant shall submit a letter from the LRWQCB stating such, prior to issuance of the Authorization to Operate.
5. The applicant shall secure all applicable approvals from approvals from Lassen County Environmental Health, Public Works Department, and Fire Warden.
6. The applicant shall secure a “will serve” from the Spalding Community Services District for the proposed additional 8 units.
7. A new building site designation number shall be obtained in coordination with the Spalding Community Services District and the Lassen County Planning and Building Department, to encompass all parcels related to the existing Eagle Lake RV Park and all parcels related to the proposed expansion.
8. The applicant shall obtain all necessary building permits from the Lassen County Department of Planning and Building Services and/or the California Department of Housing and Community Development before the commencement of construction.

Operational Conditions
(Must be satisfied during operation of the use permit)

9. The applicant shall implement best management practices during construction of the project to reduce air emissions. These best management practices shall include, but are not limited to, watering roads and graded areas, and reducing vehicle speed during construction.
10. Pursuant to Lassen County Code Section 18.108.155, 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.
11. Any added signage shall comply with the provisions of Lassen County Code Chapter 18.106.
12. No trees shall be removed from the project site, in order to minimize disruption to natural vegetation, in accordance with the *Eagle Lake Area Plan, 1982*.
13. All future utility connections shall be placed underground unless otherwise approved by the Planning Commission or Board of Supervisors.
14. All recreational vehicles (RVs) and/or park models visiting or located on the project site shall be properly registered and in operable condition or shall be subject to abatement in accordance with Lassen County Code Chapter 1.19.
15. In the event that any archaeological or cultural resources are discovered during construction or any ground disturbing activities in association with this project, such work is to be halted in the immediate area of the discovery until a qualified archaeologist, who shall be retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures. The project proponent shall implement any mitigation measures recommended by the archaeologist to reduce potentially significant impacts cultural resources to a less than significant level.



County of Lassen

Department of Planning and Building Services

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

Maurice L. Anderson, Director

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January 18, 2022

RECEIVED

FEB 03 2022

TO: Technical Advisory Committee
Agenda Date: February 3, 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Don Willis, Lassen County Surveyor

Environmental Health

Messages: 530-251-8528

email:EHE@co.lassen.ca.us

RE: Use Permit No. 2021-008 – Schmitt Family Trust (Eagle Lake RV Park).
Assessor's Parcel Numbers: 077-182-002, 077-182-004, 077-182-011, 077-183-003, 077-183-005, 077-183-007, 077-183-012 and 077-183-020.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The subject lands are represented by Assessor's Parcel Numbers 077-182-002, 077-182-004, 077-182-011, 077-183-003, 077-183-005, 077-183-007, 077-183-012 and 077-183-020. Title to these lands is currently held by Sylvia Schmitt, Successor Trustee of the Schmitt Family Trust dated March 18, 1992, as shown at a Deed in Lieu of Foreclosure that was recorded on April 9, 2018 as Document No. 2018-01287 of the Official Records of Lassen County, California.
2. The subject lands are located in a portion of Section 7, Township 32 North, Range 11 East, Mount Diablo Base and Meridian, in the unincorporated area of Lassen County. This property is currently the site of the Eagle Lake RV Park that is located in Spaulding, California.
3. The legal description within the vesting deed noted in Findings Item Number One above describes numerous lots that are within Blocks 16, 17 and 18 of the Spaulding Eagle Lake Tract, as the same was filed on November 10, 1924 in Book 1 of Maps, Page 50, of the Official Records of Lassen County. The subject parcels that are part of this Use Permit application are described as Lots 1, 2, 3, 4, 7, 8, 9, 10, 107, 108, 109, 110 and 111 of said Block 16 together with Lots 1-12, inclusive, and Lots 107-112, inclusive, of said Block 17. Portions of Poplar Way and Palmetto Way, which are privately maintained roads, are also included since they were abandoned by the Lassen County Board of Supervisors on two different occasions. These abandonments and their corresponding Resolution numbers are shown on current Assessor's Parcel Maps 77-18 and 77-19.

4. The subject lands described in Findings Item Number Three above do not appear to have been formally merged together. This project is an amendment to Use Permit No. 6-04-87 and Condition No. 7 of that Use Permit stated "*that all lots within the park be merged.*" A letter dated March 20, 1996 from the Department of Community Development to the applicants' agent indicated that, at the time, the merger had not been completed. Since then, various Building Site Designations have been recorded by the property owner (Schmitt) which served to merge various lots within the park, however nothing was found to have been filed for the subject lots that are involved with this Use Permit application, as are described in Findings Item Number Three above.
5. There are multiple underlying legal parcels within the subject lands that are involved with this Use Permit application. The majority of the lots that are involved are described in a Joint Tenancy Grant Deed that was recorded on March 17, 1969 in Book 227, Page 207, of the Official Records of Lassen County. The remaining lots, and their pre-1972 recording dates and information, are listed in the table below:

<u>Lot and Block</u>	<u>Recording Date</u>	<u>Recording Info.</u>
Lot 1, Block 16	Nov. 16, 1925	15 Deeds 466
Lots 3 & 4, Block 16	Dec. 21, 1931	28 Deeds 302
Lot 8, Block 16	Nov. 19, 1976 (Tax Deed)	309 O.R. 107
Lots 109-111, Block 16	Dec. 18, 1963	186 O.R. 64
Lot 2, Block 17	May 9, 1925	13 Deeds 202
Lot 9, Block 17	May 12, 1969	228 O.R. 413

No permits for development have been issued by the Lassen County Building Department for the subject parcels that are involved with the current Use Permit application, however, based on the above, the subject lands are comprised of multiple legal parcels that are in compliance with the Subdivision Map Act and local ordinances. Since the purpose of the current Use Permit application is to expand the size and capacity of the existing rv park and services provided to the new rv spaces will cross existing boundary lines, the subject lands will either need to be merged with the remaining lands held by the property owner or a Building Site Designation or Designations, will need to be recorded in accordance with Section 12.12.021 (*Designation of sites at Spaulding Eagle Lake Tract*) of the Lassen County Code, prior to issuance of any permits for development by the Lassen County Building Department.

6. The subject lands adjoin The Strand, County Road No. 247, which is in the County

maintained road system. These lands are also accessed by Palmetto Way, Poplar Way and Spruce Way which are privately maintained roadways that are not in the County maintained road system.

**LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS
FOR USE PERMIT NO. 2021-008 (SCHMITT FAMILY TRUST):**

1. The subject lands shall either be merged with the remaining lands of the Eagle Lake RV Park or a Building Site Designation or Designations, shall be recorded in accordance with Section 12.12.021 (*Designation of sites at Spaulding Eagle Lake Tract*) of the Lassen County Code, prior to the issuance of any permits for development by the Lassen County Building Department.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

Lassen-Modoc Unit
697-345 Highway 36
Susanville, CA 93610
530-257-8520



RECEIVED

FEB 03 2022

January 28, 2022

From: The Lassen County Fire Warden's Office
697-345 Highway 36
Susanville, CA 96130
(530) 257-4171

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

To: Lassen County Building and Planning Department
707 Nevada Street #5
Susanville, CA 96130
(530) 251-8269

Re: Use Permit #2021-008, Schmitt

Findings:

1. The Parcels are located within the State Responsibility Area (SRA).
2. The Parcels are located within the Forest Service (Federal) Direct Protection Area (DPA).
3. The Parcels are located within a Moderate Fire Hazard Severity Zone (FHSZ).
4. The Parcels are located within the Spalding Fire Protection District.

Conditions:

1. **Access for firefighting apparatus is key when there is an incident within the RV park, the following access requirements would apply.**

9.16.370 Recreational vehicle or mobile home parks access requirements.

Road networks in recreational vehicle or mobile home parks shall provide for safe and ready access for emergency fire equipment. Road and street systems shall provide maximum circulation consistent with topography to meet fire safety needs.

(a) Multiple Access. Multiple access is required for all recreational vehicle or mobile home parks to allow for evacuation and emergency equipment access unless waived by the following:

- (1) The location of the recreational vehicle or mobile home park is within an unclassified fire hazard area; or
- (2) The length of dead-end roads meets criteria established in subsection (b) of this section; or
- (3) The potential number of recreational vehicles or mobile homes to be served by one route would not warrant a second route of ingress/egress as determined by the county fire warden and/or the responsible fire agency where applicable; or
- (4) An adequately maintained and continuously available emergency fire escape road is available. An emergency "fire escape road" requires a minimum twenty-foot right-of-way with a sixteen-foot wide roadbed. The right-of-way may be a deeded easement or an alternative acceptable to the department of public works. Emergency fire escape roads are to be posted with an approved sign; or

(5) Other suitable measures are recommended for approval by the county fire warden and/or the responsible fire agency where applicable.

(b) Access Standards.

(1) Roads and Streets. All roads and streets will comply with the following:

(A) Under eight percent grade: see Chapter 16.32 of the Lassen County Code;

- (B) Eight to twelve percent grade: shall be paved with asphalt or concrete, to the width of the required traffic lane;
 - (C) Over twelve percent grade: no road or street grades in excess of twelve percent will be allowed;
 - (D) Vertical clearance: an unobstructed vertical clearance of fifteen feet along entire width and length of roadway.
- (2) Dead-End Roads. The length of dead-end roads shall not exceed the following lengths from a twenty-four-foot wide minimum publicly maintained road:

Moderate fire hazard	1,200 feet
----------------------	------------

(3) Turnarounds.

(A) Lots/Parcels — Greater Than Three Acres. For subdivisions that create lots/parcels greater than three acres in size, all turnarounds will comply with Fire Standard No. 1, in Exhibit A at the end of this chapter.

(B) Lots/Parcels — Greater Than One Acre Up to Three Acres. For subdivisions that create lots/ parcels greater than one acre up to three acres, all turnarounds will comply with Fire Standard No. 2, in Exhibit A at the end of this chapter.

(C) Lots/Parcels — Less Than or Equal to One Acre. For subdivisions that create lots/parcels less than or equal to one acre, all turnarounds will comply with Fire Standard No. 3, in Exhibit A at the end of this chapter.

(4) Minimum bridge and culvert requirements for recreational vehicle and mobile home parks shall be the same as the requirements for other projects detailed in this chapter and in the Fire Safe Regulations. If more stringent requirements are detailed in statute, state regulation or county ordinance, those more stringent standards shall apply.

(c) Street and Road Identification. To facilitate fire location and to avoid delays in response, all roads and streets will be designated by name or number on signs clearly visible from the main traveled roadway, as required by Lassen County Code Chapter 12.36. (Ord. 2020-03 § 2).

2. Water supply is critical in rural areas when fighting fire, the following water supply requirements apply.

9.16.390 Recreational vehicle or mobile home parks where fire department services are available.

(a) Water is the most important single factor in fighting structure fires and is vital to the suppression of wildland fires that may occur in recreational vehicle and mobile home parks. All related plumbing, tanks and connections must be approved on-site by the responsible fire agency/county fire warden before covering with soil. These requirements must be met prior to occupancy of any building on the created parcels.

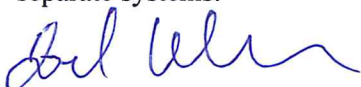
All debris caused by construction of structures, building sites, spaces, roads and driveways including brush and timber fuels removed before occupancy.

(b) The requirements are determined based on the number of recreational vehicles or mobile home spaces, as follows:

(2) Five to Fifteen Spaces Are Proposed.

(A) Storage Tanks. Water for fire protection is required. Provisions must be made to ensure the water supply is always available and the connection point is readily accessible to fire department equipment. The specific location of the water supply and the type of fire department connection must be approved by the county fire warden and/or the responsible fire agency where applicable. Thermal protection for storage tanks and the distribution system is required.

(B) There must be at least one thousand gallons of water available for each space. One water source may serve up to ten spaces. In no case will a single water source serve more than ten spaces. Example: Eleven spaces would require two separate systems.



Joel Goldman
Fire Prevention
California Department of Forestry and Fire Protection
697-345 Hwy 36 E, Susanville Ca 96130
(530) 310-2223
E-mail: joel.goldman@fire.ca.gov



USE PERMIT APPLICATION

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

DEPARTMENT OF PLANNING AND BUILDING SERVICES

707 Nevada Street, Suite 5 · Susanville, CA 96130-3912

(530) 251-8269 · (530) 251-8373 (fax)

www.co.lassen.ca.us

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DEC 01 2021

LASSEN COUNTY DEPARTMENT OF
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. UP 2021-008

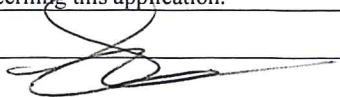
Property Owner/s	Property Owner/s
Name: <u>Schmitt Family Trust</u>	Name:
Mailing Address: <u>18135 Clear Creek Rd.</u>	Mailing Address:
City, ST, Zip: <u>Redding, CA. 96001</u>	City, ST, Zip:
Telephone: <u>530-241-8693</u> Fax: <u>N/A</u>	Telephone: Fax:
Email: <u>sylvias1123@gmail.com</u>	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name: <u>Sylvia Schmitt</u>	Name: <u>Keith Hamblin - The Land Designers, Land Planners</u>
Mailing Address:	Mailing Address: <u>1972 Placer Street, Suite A</u>
City, ST, Zip:	City, ST, Zip: <u>Redding, CA 96001</u>
Telephone: <u>530 5244198</u> Fax:	Telephone: <u>530-244-0506</u> Fax: <u>N/A</u>
Email:	Email: <u>jehkah@shasta.com</u> License #:

Project Address or Specific Location: <u>687-125 Palmetto Way</u>			
Deed Reference: Book:	Page:	Year: <u>2018</u>	Doc#: <u>2018-01283</u>
Zoning: <u>C-T-D Town Service District Design Review</u>		General Plan Designation: <u>Existing Commercial/Community Center. Eagle Lake Area Plan</u>	
Parcel Size (acreage): <u>2.2 Ac.</u>		Section: <u>7</u> Township: <u>32 N.</u> Range: <u>11E.</u>	

Assessor's Parcel Number(s):	<u>77-182-2,4&11</u>	<u>77-183-3,5,7,12 &20</u>	AP Nos: in RV expansion area.
-	-	-	-

Project Description:
This request is to expand the existing Eagle Lake RV Park by an addition 8 rv spaces. Access to the 8 spaces will be provided by a new one way driveway that goes south from the existing store area to Spruce Way. The driveway is 12 ft. wide & the rv spaces average from 27' wide x 60' long to 30' wide x 60' long. The driveway and 12' wide parking pads at each space will be paved the second year they are installed. All utilities are underground & a picnic table is at each space.

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.  Date: <u>11-30-21</u>	*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: Date:
--	--

See associated process form for required attachments and instructions.



USE PERMIT PROJECT DETAIL SUPPLEMENT

DEPARTMENT OF PLANNING AND BUILDING SERVICES

707 Nevada Street, Suite 5 · Susanville, CA 96130-3912

(530) 251-8269 · (530) 251-8373 (fax)

www.co.lassen.ca.us

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LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

FILE NO UP 2021-008

Form must be typed or printed clearly in black or blue ink. This supplement consists of three pages.

Please complete the following application supplement and attach to the Use Permit Application. Answer all questions that are related to the proposed use.

1. Proposed timeframe for the project and completion of each major phase (i.e., when structures and improvements will be completed): All improvements except for the paving of the driveway and RV pads will be completed in the spring of 2022. This work includes installing the 12' wide one way driveway to serve the 8 RV units, creation of the RV pads, installation of underground utilities & provision of a picnic table at each space. Paving will occur in the spring of 2023.
2. Existing use of property: The expansion area is currently a vacant field at the Eagle Lake RV Park with a small playground set on it.
3. Describe adjoining land uses (e.g., residential, commercial, agricultural, etc.). Please be as specific as possible.
North: The Eagle Lake RV park store and gas station is to the north.
South: Residential land and a boat storage/repair is to the south.
East: The Strand road and Spalding Airport is to the east.
West: Existing RV park spaces.
4. Hours of proposed operation: 8 RV spaces daily rental to Days of operation: 7 days a week during summer hrs.
Closed during winter season
5. Number of shifts: N/A Number of employees: N/A
6. Number of deliveries or pick-ups: N/A per day per week
7. Number of visitors/customers: 8 RV spaces rented daily. per day 7 days per week
8. Will the project increase noise levels in the immediate area? ☐ Yes ☒ No
If yes, anticipated noise levels in decibels at:
50 feet 100 feet Property Line
9. Describe existing structures and improvements to be used in conjunction with the proposed use, including their floor area: The expansion area is a vacant field.
10. Maximum height (in feet) of existing structures: N/A
11. Maximum height (in feet) of proposed structures: None proposed

12. Describe any existing structures to be removed: N/A

13. Describe proposed structures and improvements (e.g., buildings, parking, roads, and sewer services, etc.). Please include dimensions and floor area: 12' wide paved one way driveway,

(8) 12' x 55' +/- paved pads for RVs at each space, (1) picnic table at each space, all utilities are underground.

Utilities include public sewer, water from park well, electricity & satllite tv.

14. Describe the topography and physical environment at and surrounding the project site: _____

The site is a very flat field consisting of grassess and a few ponderosa pine trees. All drainage is sheet flow to the east.

RV spaces in pine trees is to west. The main road in the area The Strand is to the east as well as an airport. The entry road to the RV Park, store & gas pumps are to the north. To the south is scattered residential and a boat storage/repair.

15. Describe proposed exterior lighting, including location (attach lighting diagram if applicable): _____

None proposed.

16. Will the project include or result in grading, including anticipated grading at project buildout?

☒ Yes☐ No

If yes, approximate total surface area to be disturbed by site grading:

sq. ft. or 0.21 acres

Quantity of cut: 170 cubic yards Quantity of fill: 350 cubic yards

17. Percentage of site to be covered by impervious surfaces (e.g., roads, driveways, and structures), including estimated impervious surfaces at project buildout: 9% impervious

18. Number of existing parking spaces: N/A employee N/A customer

Number of proposed parking spaces: N/A employee N/A customer

Describe surfacing of parking area: N/A

Please attach a parking plan showing existing and proposed parking facilities.

19. Please attach a detailed plot plan, drawn to scale, showing all existing and proposed improvements.

20. For commercial, industrial and institutional developments, please attach a landscaping plan.

21. Please indicate how the following services will be provided to serve the project, including name of the service provider:

Electricity: Lassen Municipal

Underground ☒ Overhead ☐

Telephone: Frontier Communications

Underground ☒ Overhead ☐

Water Supply: Existing Well ☐ New Well(s) ☐ Community Water ☒

Other ☐ Community water system only for RV park.

Sewage Disposal: Individual Septic System ☐ Community Sewer ☒ Shared Septic System ☐

If individual septic systems are proposed, has soil testing been performed to determine soil

suitability? ☐ Yes ☒ No If yes, please attach

Solid Waste Disposal: C&S Waste Solutions

LP/Natural Gas: ^{Shaw}Ed. Shaw Propane

If an extension of utility lines is necessary, indicate which services and the distance of the extension: About 360 ft. of sewer to serve RV spaces, 390 ft. of underground for electric & cable & 440 ft. waterline.

22. Please provide the names of the following districts, if applicable:

High School: Lassen HS

Elementary School: Susanville School District

Fire Protection: Spalding Volunteer Fire Department

Community Services District: Spalding CSD

Water: RV park has 2 wells that serve the park.

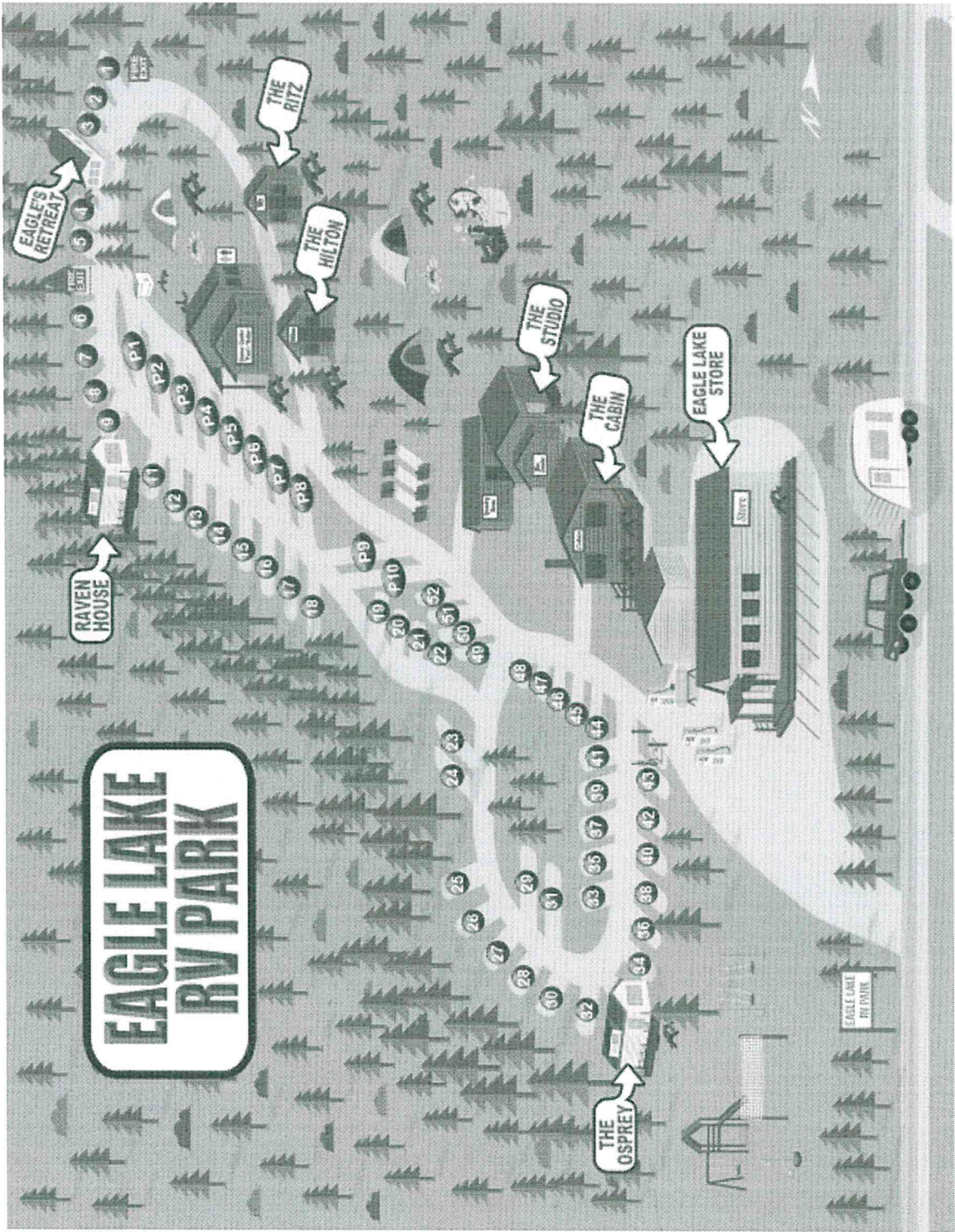
Sewer: Spalding CSD

Other:

23. List all county, state, regional or federal agencies from which a permit or approval is or may be required, including type of permit required: Construction permit from California Dept of Housing and Community Development.

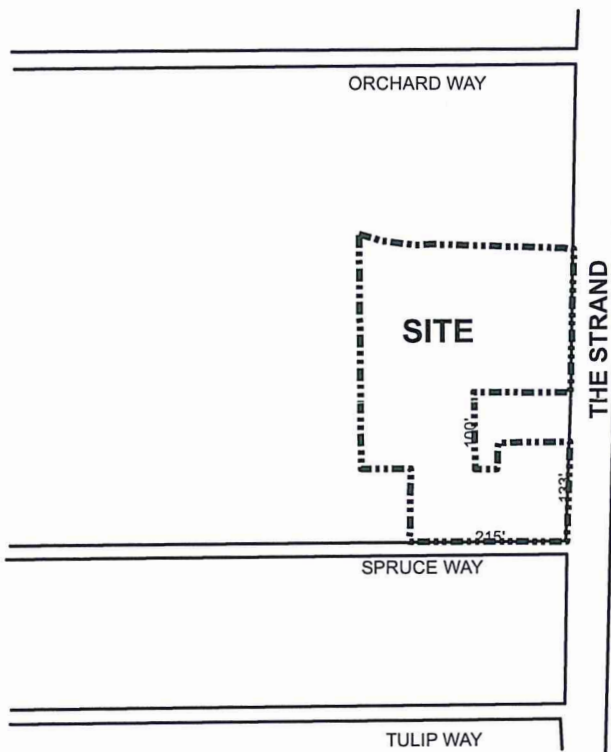
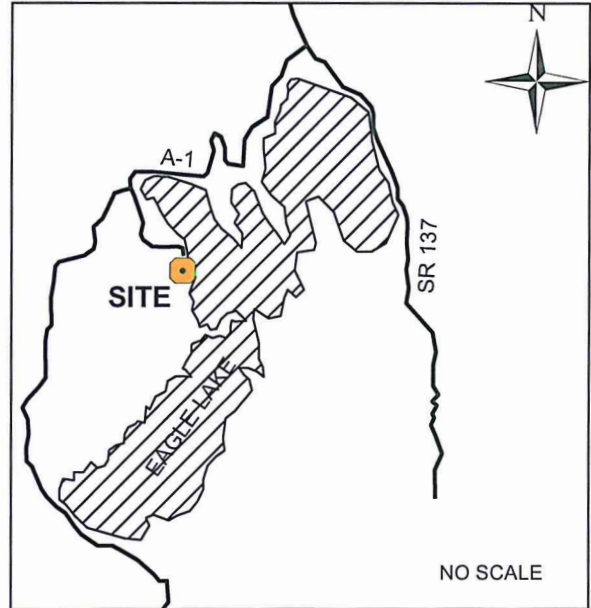








COVER PAGE



AMENDMENT TO USE PERMIT 6-04-87

PROPERTY OWNER:
SCHMITT FAMILY TRUST
18135 CLEAR CREEK RD.
REDDING, CA. 96001

PLANNERS:
LAND DESIGNERS, INC.
1975 PLACER ST, STE. A
REDDING, CA. 96001

A.P. NOS:
077-182-2,4 & 11; 077-183- 3,5,12 & 20

ACREAGE:
2.2 AC.

EXISTING USE:
VACANT LAND

PROPOSED USE:
8 RV SPACES

WATER:
WELL

SEWAGE:
SPALDING CSD

DATE:
11-30-2021

