



County of Lassen  
Department of Planning and Building Services

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

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July 26, 2022

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TO: Lassen County Planning Commission  
Agenda Date: August 2, 2022

FROM: Maurice L. Anderson, Director

*M71 for*

SUBJECT: **PUBLIC HEARING: RECOMMENDATION TO THE BOARD OF SUPERVISORS (FILE #318.01.66).** Proposed ordinance amending County Code Section 18.108.240 (Guesthouses) of Title 18 (Zoning) of the Lassen County Code to allow guesthouses to be fifteen feet tall or the height of the primary residence (whichever is greater) or up to thirty-five feet tall upon approval of a design review application. Applicable Countywide. The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guidelines Subsection 15061(b)(3). Staff Contact: Gaylon Norwood, Deputy Director

***Summary:***

Guesthouses are allowed by right (e.g. building permit only) in several zoning districts throughout Lassen County. Currently, in accordance with Section 18.108.240 (attached), guesthouse can be no taller than 15 feet, even if the primary residence is taller. In contrast, other accessory structures are allowed to be as tall as the primary residence or up to thirty-five feet with a design review application.

The proposed ordinance (attached) would allow guesthouses to be as tall as the primary residence or up to thirty-five feet tall (consistent with other accessory structures) upon approval of a design review application.

***Environmental Review:***

The Lassen County Environmental Review Officer (the Director of the Planning and Building Services Department) has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with subsection (b)(3) of CEQA Guidelines Section 15061 (e.g. the Common Sense exemption), which reads as follows:

*The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.*

*Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

This ordinance does not change the zoning districts in which guesthouses are allowed. Further, guesthouses will continue to require approval of a building permit application and must meet all applicable building code requirements.

***Adoption:***

Zoning ordinances are adopted in accordance with Section 65853 et seq of the California Government Code. The Planning Commission is required to conduct a public hearing and to make a recommendation to the Board of Supervisors regarding said ordinance. In accordance with Section 65857, the Board of Supervisors may then introduce and adopt the ordinance at the same meeting, after conducting its own public hearing in accordance with said section.

MLA:gfn

Enclosures: Existing County Code Section 18.108.240  
Proposed Ordinance

## EXISTING SECTION

Lassen County, California County Code

Title 18 ZONING

Chapter 18.108 SPECIAL PROVISIONS

### **18.108.240 Guesthouses.**

The following regulations shall apply to guesthouses when allowed:

- (1) There shall be not more than one guesthouse per parcel. No kitchen or cooking facilities shall be permitted in any such guesthouse.
- (2) A guesthouse shall not exceed fifteen feet in height.
- (3) A guesthouse shall not be placed on a lot of less than seven thousand five hundred square feet.
- (4) A guesthouse shall not occupy a parcel separate from that of the main dwelling.
- (5) No guesthouse shall be constructed prior to construction of the main dwelling. (Ord. 467 § 66, 1984).

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### **Contact:**

Clerk of the Board of Supervisors: 530-251-8427

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

Ordinance Amending Section 18.108.240 (Guesthouses).

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 \_\_\_\_\_ day of \_\_\_\_\_, 2022, by the following vote:

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

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

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

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

\_\_\_\_\_  
CHRIS GALLAGHER  
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 18.108.240 of the Lassen County Code is hereby amended to read as follows:

**18.108.240 Guesthouses.**

The following regulations shall apply to guesthouses when allowed:

1. There shall be not more than one guesthouse per parcel. No kitchen or cooking facilities shall be permitted in any such guesthouse.
2. A guesthouse shall not exceed fifteen feet in height or the height of the primary residence (whichever is greater), unless a Design Review application is approved, in which case a guesthouse may be up to thirty-five feet tall.
3. A guesthouse shall not be placed on a lot of less than seven thousand five hundred square feet.
4. A guesthouse shall not occupy a parcel separate from that of the main dwelling.
5. No guesthouse shall be constructed prior to construction of the main dwelling.

**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.