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## PLANNING COMMISSION MEETING

June 2, 2020

FILE NUMBER:	RZ #2019-002
PROPERTY OWNER:	Lillian Jane Deas Trust et al.
APPLICANT:	Emily Jane Rosenberg, Trustee
TYPE OF APPLICATION:	Rezone

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LASSEN COUNTY PLANNING COMMISSION  
STAFF REPORT  
June 2, 2020

FILE NUMBER: RZ #2019-002  
PROPERTY OWNER: Lillian Jane Deas Trust et al.  
APPLICANT: Emily Jane Rosenberg, Trustee  
TYPE OF APPLICATION: Rezone  
GENERAL LOCATION: The project site is located at Upper Stevens Meadow in the Lassen National Forest, approximately two miles northeast of Silver Lake near the Caribou Wilderness Area (approximately 20 miles north of Westwood)  
ASSESSOR'S PARCEL NUMBER(S): 085-080-06 and 085-120-03  
CURRENT ZONING: U-C-2 (Upland Conservation/Resource Management District)  
PROPOSED ZONING: T-P-Z (Timber Production Zone District)  
GENERAL PLAN DESIGNATION: "Extensive Agriculture" pursuant to the *Lassen County General Plan, 2000*  
ENVIRONMENTAL DOCUMENT: Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15264 of the 2020 Guidelines  
ASSIGNED STAFF: Stefano Richichi, Senior Planner

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AUTHORITY FOR APPLICATION:

Procedure for Precise Zoning and Amendments, Lassen County Code Chapter 18.124  
T-P-Z Timber Production Zone District, Lassen County Code Chapter 18.70  
California Timberland Productivity Act of 1982, Articles 1 and 2, Government Code Sections 51100-51119.5

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REGULATING AGENCIES:

Agency  
Planning Commission  
Board of Supervisors

Identified Permits/Approvals  
Recommendation to Board  
Approval

PROJECT DESCRIPTION: Proposal to rezone approximately 560 acres (of two Assessor Parcel Numbers that together total one legal parcel of approximately 640 acres) from U-C-2 (Upland Conservation/Resource Management District) to T-P-Z (Timber Production Zone District). According to Government Code Section 51115, parcels zoned as "timberland production" shall be zoned so as to restrict their use to the growing and harvesting of timber and other compatible uses (see below for a discussion regarding other "compatible uses").

As indicated above, 80 acres of the existing 640-acre parcel will remain in the U-C-2 zoning district. The property owner's agent has indicated that this is to allow consideration of a

residence at a future date, as the T-P-Z zoning district does not allow residential development. Thus, this single parcel will be zoned both T-P-Z and U-C-2. While this does not directly violate any General Plan policies or zoning ordinances, the Planning Commission must determine consistency with the *Lassen County General Plan, 2000*. Please see the General Plan and Zoning sections for further discussion. Further, pertinent findings can be found in the attached memoranda to the Technical Advisory Committee.

**PROJECT SITE CHARACTERISTICS:** The project site is located at Upper Stevens Meadow in the Lassen National Forest, approximately two miles northeast of Silver Lake near the Caribou Wilderness Area (approximately 20 miles north of Westwood). According to the Forest Management Plan submitted with this rezone application, terrain is gently sloping to flat over most of the property, with elevations ranging from 6,220 to 6,480 feet. According to said plan, the property is vegetated with a mix of lodgepole pine, Jeffrey pine, white fir, perennial grass meadow, and aspen habitat types. The project site also contains a portion of the headwaters of Pine Creek, and is in a conservation easement with Lassen Lands and Trails Trust, recorded at Book 547, Page 590 of the Official Records of Lassen County, California. Access is by way of several U.S. Forest Service Roads.

**NEIGHBORING PROPERTIES:**

The project site is completely surrounded by federal Lassen National Forest land managed by the U.S. Forest Service. Surrounding parcel sizes are large, ranging from 120 to 640 acres. As stated above, the project site is also near Silver Lake and the Caribou Wilderness Area.

**GENERAL PLAN:**

The following goals, policies, and implementation measures from the *Lassen County General Plan, 2000*, relate to the proposed project:

**ISSUE: Timberland**

- *GOAL L-18: Healthy forest environments which will continue to provide resources for multiple uses and timber production in sustainable qualities which will benefit the local economy.*
- *LU41 POLICY: It is recognized by the County that the timber industry has historically been and continues to be a major economic and social component of Lassen County and therefore represents a vital factor in the fundamental culture and customs of the community.*
- *LU42 POLICY: The County supports the conservation and management of timber production areas for the production of timber and other multiple uses compatible with timber production and shall, within the County's authority, protect these areas from land uses (e.g., residential development) and factors which would significantly restrict their capacity for production.*
- *Implementation Measure LU-Z: The County will continue to support the use of timber*

*production zones (TPZ) and related programs to promote the productive management of timber resource lands.*

- *Implementation Measure LUAA: Land with significant forest resources should, unless identified and designated for unique and specific development opportunities, be zoned by the County as: TPZ, Timber Production Zone District; U-C, Upland Conservation District; or U-C-2, Upland Conservation/Resource Management District.*

#### *ISSUE: Timber Production Areas*

*Lassen County's private timberlands have been a source of tax revenue and employment for the men and women of the area for over 100 years. At one time, Lassen County was the most important lumber producing county in the northeastern part of California.*

*It was a recognized assumption in Lassen County's 1968 General Plan that the lumber industry would continue in a limited form based on substantial yield from public timberlands, although declining from its [1968] level. Although the Plan identified that a major goal of the program of industrial development in the County was to diversify the industrial base and lessen the reliance on lumber and livestock, it was recognized that lumber related industries would continue to play a strong role in the County's economic future.*

*One of the predominant land use designations on the Land Use Map contained in the 1968 General Plan was the "General Forest Environment." This area comprised most of the west half of the County and was recognized as the area best suited to lumber production and watershed. It was also recognized in the Plan that lumber production on large private holdings and public lands such as the Lassen National Forest would continue as a major activity.*

*Since the adoption of the General Plan in 1968, Lassen County has been called upon to take a number of actions to define its timber resource policies and affirm its support for the local timber industry. This has included resolutions by the Lassen County Board of Supervisors asserting its position on Federal timber management issues in Lassen County, and to express its concern for the significance of these issues on the economic and social well-being of the county.*

*One of the most significant timber resource measures to involve and affect Lassen County was brought about by the State's adoption of the Timber Yield Tax Law (AB 1258, Forest Tax Reform Act of 1976). This bill, adopted in May, 1976, changed the system of property taxation for timber and timberland in California. Generally, the law exempted timber from taxation until it is cut, and restricted the use of timberlands to the growing and harvesting of timber, along with certain compatible uses. To implement the law, the law directed that counties establish a Timberland Preserve Zoning District (TPZ), now regarded as "Timber Production Zones," and adopt a list of compatible uses to be incorporated into a final TPZ ordinance.*

Additional general plan policies related to the project are attached with this staff report.

## LASSEN COUNTY CODE:

Lassen County Code Section 18.70.040 broadly sets forth two ways in which land may be eligible to be rezoned into the T-P-Z zoning district:

1. Either the parcel(s) is shown on List A or List B maintained by the Assessor's Office as specified by the Z'berg-Warren-Keene-Collier Forest Taxation Reform Act of 1976; or
2. The parcel(s) that is petitioned for inclusion into the T-P-Z zoning district satisfies the below criteria:
  - A) A map shall be prepared showing the legal description and the assessor's parcel number of the property desired to be zoned; and
  - B) A plan for forest management must be prepared or approved as to content for the property by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan; and
  - C) The parcel shall currently meet the timber stocking standards and the forest practice rules or the owner must sign an agreement with the board of supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. Failure to meet the terms of the agreement will be grounds for rezoning; and
  - D) The area must be in one ownership of at least forty acres or quarter-quarter section. This area must be contiguous or of parcels sufficiently near to each other to be manageable as a single forest unit; and
  - E) The average timber site must be at least Class IV or higher, according to the site rating system of the state Board of Forestry.

In his letter dated November 18, 2019, submitted with his application, Registered Professional Forester and Project Agent Philip Nemir, explains how the applicant has satisfactorily addressed the above criteria required for Lassen County Code Section 18.70.040(2)(A-E) above.

Included with the rezone application are a map along with a legal description and APNs for the project site as well as a Forest Management Plan prepared by Mr. Nemir. According to Mr. Nemir, the parcels "more than [meet] the minimum stocking standards by the Forest Practice Act Rules," and the timber on said parcels is on average a Class III using Dunning's classification system. For reference, Dunning identifies seven classes, where Class I is the highest quality timber and Class VII is the lowest. Lastly, as stated above, the parcels together comprise 640 acres.

Lassen County Code Section 18.124.010 et seq. establish the regulations regarding the rezone (zoning amendment) process more generally. Lassen County Code Sections 18.124.030 and 18.124.040 in part require that the Planning Commission hold a public hearing and "submit a

report of its findings and a summary of such hearing, together with its recommendations with respect to the proposed amendment” to the Board of Supervisors. Lassen County Code Section 18.124.050(a) requires that the Board of Supervisors receive the Planning Commission’s report and provides that the Board of Supervisors may adopt the proposed amendment within 90 days of such receipt.

ENVIRONMENTAL DOCUMENT:

The proposed rezone is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15264 of the 2020 Guidelines, which states that “[l]ocal agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq.”

ADDITIONAL GENERAL PLAN POLICIES RELATED TO  
REZONE #2019-002, ROSENBERG

The following goals, policies, and implementation measures from the *Lassen County General Plan, 2000*, relate to the proposed project:

**Land Use Designation:**

The Extensive Agriculture designation primarily represents typical rangeland areas with grazing and general rangeland values, natural wildlife habitat, open space and scenic values, and/or low intensity outdoor-oriented recreational values. It also includes general forest areas, timber production areas and related uses. Large parcel sizes are required to support and protect resource values. Except in special “open space” areas, it may accommodate limited dispersed residential uses; however, such uses will typically be related and secondary to agricultural and other resource based land uses, including dispersed recreation and mining. Subject to County permit requirements and the provisions of related elements of the General Plan, areas designated Extensive Agriculture may also accommodate natural resource-related production facilities, including but not limited to: mineral extraction and processing, including asphalt and similar plants; saw mills and logging operations; and facilities for the processing of agricultural products.

The “Extensive Agriculture designation has generally incorporated and replaced the “Grazing and Sagebrush Environment” designation used in the 1968 General Plan and in some Area Plans. Where the term “Grazing and Sagebrush Environment” continues to be used, it shall be considered to be synonymous with “Extensive Agriculture.” The Extensive Agriculture designation has also incorporated areas which were designated “General Forest Environment.”

To the extent that residential uses are allowed, building intensity will generally not exceed 0.025 DUA (dwelling units per acre). Population density will generally average 0.067 PPA (persons per acre). Exceptions to these averages would include limited farm labor housing facilities.

Corresponding Zoning: “U-C”, Upland Conservation District; “U-C-2”, Upland Conservation/Resource Management District; “TPZ”, Timber Production Zone.

**Land Use Element:**

ISSUE: Agricultural Land Uses

- GOAL L-16: Conservation of productive agricultural lands and lands having substantial physical potential for productive agricultural use, and the protection of such lands from unwarranted intrusion of incompatible land uses and conversion to uses which may significantly obstruct or constrain agricultural use and value.
- LU40 POLICY: The County recognizes and has generally assigned General Plan land use designations for lands having high agricultural resource value as “Intensive Agriculture or “Crop Land and Prime Grazing Land...”

- Implementation Measure LU-X: Land designated “Intensive Agriculture” in the Land Use Element shall be zoned “E-A” Exclusive Agricultural District, “A-3” Agricultural District, “U-C” Upland Conservation District, or “U-C-2” Upland Conservation/Resource Management District.

## **Natural Resources Element:**

### Forest Resources

- GOAL N-11: Healthy forest environments which will continue to provide resources for multiple uses and timber production in sustainable qualities which will benefit the local economy.
- NR36 POLICY: In areas having significant forest and timber resources, the County supports the formulation of resource management goals and objectives which address the long-term health and diversity of resources in these areas as well as the sustained productivity of timber products.

## **Agricultural Element:**

- AG-1 POLICY: The County recognizes that land having the physical characteristics (e.g., soil) for production of agricultural crops and livestock is a resource of significant value which needs to be protected for its economic value, its contribution to the character of the community, and its environmental and scenic values.
- GOAL A-2: Maintain area plan policies and related land use and resource management decisions which support the agricultural policies of the Agriculture Element.
- AG-15 POLICY: The County supports the consideration of innovative ways to maintain the economic viability of productive agricultural lands, subject to the unique circumstances of each area. Measures may include use of land conservation contracts (e.g., Williamson Act contracts), land banks, transfer of development rights, voluntary conservation easements, and use of buffer areas between agricultural lands and developing areas.



RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING  
THAT THE BOARD OF SUPERVISORS APPROVE REZONE APPLICATION #2019-002,  
ROSENBERG (LILLIAN JANE DEAS TRUST ET AL.)

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted June 2, 2020, has considered Rezone Application #2019-002, Rosenberg (Lillian Jane Deas Trust et al.), a proposal to rezone approximately 560 acres (of two Assessor Parcel Numbers that together total of approximately 640 acres) from U-C-2 (Upland Conservation/Resource Management District) to T-P-Z (Timber Production Zone District); and

WHEREAS, the Environmental Review Officer has determined that the proposed rezone application is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15264 of the 2020 CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed rezone is consistent with the *Lassen County General Plan, 2000*.
3. The applicant has submitted a forest management plan prepared by a registered professional forester. Said plan provides for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.
4. The subject APNs meet the minimum stocking standards set forth by the Forest Practice Act.
5. The subject parcels are under one ownership of at least 40 acres or one quarter-quarter section and is contiguous and manageable as a single forest unit. Specifically, the subject APNs comprise 640 acres, while 560 acres are proposed to be rezoned into the T-P-Z zoning district.
6. The timber on said parcels is on average a Class III using Dunning's classification system. For reference, Dunning identifies seven classes, where Class I is the highest quality timber and Class VII is the lowest.
7. The Planning Commission hereby concurs with the Environmental Review Officer that the proposed rezone application is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15264 of the 2020 CEQA Guidelines.
8. The Planning Commission hereby recommends that the Board of Supervisors approve Rezone #2019-002, Rosenberg (Lillian Jane Deas Trust et al.) and adopt an ordinance to effectuate the rezone.

RESOLUTION NO. \_\_\_\_\_

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PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 2<sup>nd</sup> day of June 2020, by the following vote:

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

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

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

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

\_\_\_\_\_  
Chairman  
Lassen County Planning Commission

ATTEST:

\_\_\_\_\_  
Maurice L. Anderson, Secretary  
Lassen County Planning Commission

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION RECOMMENDING  
THAT THE BOARD OF SUPERVISORS DISAPPROVE REZONE APPLICATION #2019-  
002, ROSENBERG (LILLIAN JANE DEAS TRUST ET AL.)

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted June 2, 2020, has considered Rezone Application #2019-002, Rosenberg (Lillian Jane Deas Trust et al.), a proposal to rezone approximately 560 acres (of two Assessor Parcel Numbers that together total of approximately 640 acres) from U-C-2 (Upland Conservation/Resource Management District) to T-P-Z (Timber Production Zone District); and

WHEREAS, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed rezone is not consistent with the *Lassen County General Plan, 2000*.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the Guidelines.
4. The Planning Commission hereby recommends that the Board of Supervisors disapprove Rezone #2019-002, Rosenberg (Lillian Jane Deas Trust et al.).

RESOLUTION NO. \_\_\_\_\_

Page 2 of 2

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 2<sup>nd</sup> day of June 2020, by the following vote:

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

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

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

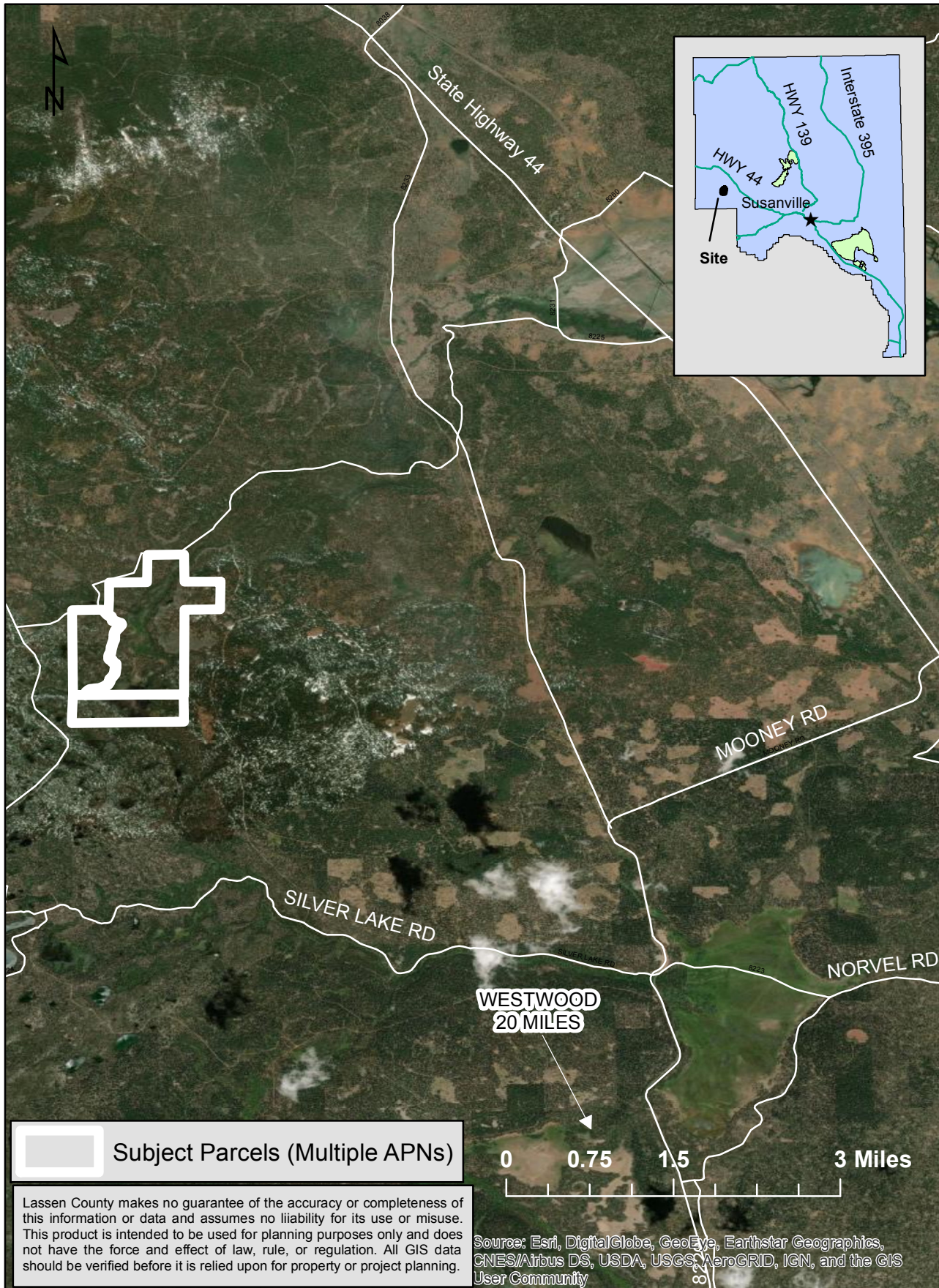
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Chairman  
Lassen County Planning Commission

ATTEST:

\_\_\_\_\_  
Maurice L. Anderson, Secretary  
Lassen County Planning Commission

# Rezone #2019-002, Rosenberg (Lillian Jane Deas Trust et al.)



**Stefano Richichi**

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RECEIVED

**From:** Phil Nemir <philnemir@hotmail.com>  
**Sent:** Thursday, January 30, 2020 6:59 PM  
**To:** Stefano Richichi  
**Cc:** Jane Rosenberg  
**Subject:** Upper Stephens Meadow TPZ - extension of time

JAN 31 2020

LASSEN COUNTY DEPARTMENT OF  
PLANNING AND BUILDING SERVICES

This message comes from an external sender. EXTERNAL SENDER WARNING!

As we discussed additional time is needed to try and resolve our differences in interpretations of the language included in the Timberland Productivity Act regarding compatible uses.

Therefore, please postpone the scheduled Planning Commission meeting for at least one month.

thank you,

---

Phil Nemir  
257-2294





*County of Lassen*  
Department of Planning and Building Services

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

April 15, 2020

**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

Phil Nemir, Registered Professional Forester, License No. 1666  
P.O. Box 1717  
Susanville, CA 96130

Zoning & Building  
Inspection Requests  
Phone: 530 257-5263

Subject: Rezone #2019-002, Rosenberg  
Assessor Parcel Numbers: 085-080-06 and 085-120-03

Dear Mr. Nemir:

This letter is in response to your emails to staff dated January 27, 2020, and March 19, 2020, in which you argue that a residence should be allowed in the T-P-Z (Timber Production Zone District) zoning district. Previously, at your request, the Planning Commission postponed the February 4, 2020, public hearing for the above project, and the project continues to be on hold at your request. As you know, however, the T-P-Z zoning district, as codified at Chapter 18.70 of the Lassen County Code, does not allow for a residence.

If your client would like to have a residence at the parcels related to the above-referenced project, there are a few options available. You can:

1. Withdraw the rezone application. The existing U-C-2 (Upland Conservation/Resource Management District) district allows a residence by right and additional residences by right if the "dwelling is to be used in conjunction with an operating agricultural unit..."
2. Propose to exclude at least 80 acres of the property from the T-P-Z rezone application. The U-C-2 district generally requires at least 80 acres.
3. Propose that a segregation of homesite be perfected before the rezone to T-P-Z is considered. A segregation of homesite requires submittal of a tentative parcel map application. Such an application would propose to segregate a homesite (from one to forty acres) from the remaining land zoned U-C-2, as set forth by Section 18.108.250 of the Lassen County Code. Said section allows applications for homesite in the U-C-2 zoning district but not in lands zoned T-P-Z. Thus, you would not be able to propose a rezone of the lands involved in the segregation of homesite to T-P-Z until after recordation of the parcel map creating the segregated parcel. The rezone application could include the remaining land zoned U-C-2 but could not include the segregated parcel itself.

The applicable filing fees include the \$1,600 tentative map application fee, \$500 notice of exemption filing fee (assuming that the project is exempt from the California Environmental Quality Act) and an \$85 fee per parcel for the Environmental Health

Department (collected by this Department on behalf of the Environmental Health Department).

The Department is willing to discuss any of the above options with you in greater detail. Attached are the parcel map process form and application for your convenience, in the case that you were to decide to proceed with the third option above. Alternatively, you could proceed with your rezone application. If the proposed rezone application were to be approved, a residence would not be allowed on the subject lands in accordance with Chapter 18.70 (Timber Production Zone District).

Please contact Assistant Director Gaylon Norwood at (530) 251-8269 if you have any questions.

Sincerely,



*for* Maurice L. Anderson,  
Director

MLA:smr

Enclosures: Parcel Map Process Form and Application  
Lassen County Code Section 18.108.250

cc: Emily Jane Rosenberg, Property Owner

S:/PLA/Planning/2019/RZ #2019-002, Rosenberg (Lillian Jane Deas Trust et al.)





## PARCEL MAP PROCESS

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](http://www.co.lassen.ca.us)

A subdivision is any division of land for the purposes of sale, lease, or finance, and is governed by the State Subdivision Map Act (California Government Code Section 66410-66499.58) and Lassen County Subdivision Ordinance No. 475A. The process of subdividing land, as required by the Map Act and regulated by the Lassen County Code, applies to all subdividers regardless of the number of parcels created and whether or not the land is improved. The leasing of agricultural land for agricultural purposes, however, is exempt from this process (as are mineral, oil, and gas leases). In general, divisions of property resulting in the creation of five (5) or more parcels are considered Subdivisions, and divisions of property resulting in the creation of less than five (5) parcels are considered Parcel Maps. Following is a brief description of the Parcel Map process in Lassen County.

An application for a Parcel Map begins with an Initial Study to determine the extent of impact, if any, that the proposed division would have on the environment. The Initial Study is the first step in the environmental review process set forth by the California Environmental Quality Act (CEQA) and implemented by the Lassen County Environmental Review Guidelines (Resolution No. 01-043). (A copy of the Lassen County Environmental Review Guidelines, which provides a more detailed explanation of the environmental review process, can be obtained at the Department of Planning and Building Services). The applicant is required to fill out an Initial Study (Appendix A) and return it to the Department of Planning and Building Services along with three (3) copies of the preliminary tentative map of the proposed division and an application fee. The application fee includes the Department of Planning and Building Services fee of \$2,000.00 to cover the Initial Study processing fee and the Environmental Health fee of \$85.00 per parcel. In most cases a separate check in the amount of \$75.00 made out to CSU Chico Research Foundation must accompany the application materials to cover the cost of an archaeological records search related to the project site (NOTE: Additional project review fees may be required by the California Archaeological Inventory Center). The preliminary tentative map is not the tentative map referred to in Ordinance 475A, but is prepared according to the same criteria.

Appendix A and the preliminary tentative map are reviewed by the Environmental Review Officer (ERO). The ERO will prepare a more detailed environmental impact assessment (Initial Study Appendix B) in an effort to disclose all potential environmental impacts associated with the proposed project. The ERO may then make one of the following determinations: (1) That the proposed project would not have a significant effect on the environment and that a Negative Declaration should be prepared; or (2) That although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because mitigation measures designed to eliminate the significant impacts or reduce them to a level of insignificance have been incorporated into the project, and a Negative Declaration should be prepared; or (3) That the project may have a significant effect on the environment and that an Environmental Impact Report (EIR) should be prepared. Alternatively, the ERO may choose to refer applications to the Planning Commission for the purposes of making a determination of whether an EIR or Negative Declaration should be prepared. If the Initial Study Application is referred to the Planning Commission for determination, surrounding property owners and affected agencies will be notified of the proposed project and will be requested to submit comments and/or concerns they may have regarding potential environmental impacts resulting from the proposal.

The Parcel Map application can be submitted concurrently with the Initial Study application or after a Negative Declaration or EIR has been prepared. The Department of Planning and Building Services fee is \$1,600.00 and the Environmental Health Department has additional associated fees. Part of the Parcel Map application will include the submittal of a minimum of five (5) copies of the tentative Parcel Map. Upon determination that the application is complete, the Parcel Map application is then reviewed by the Technical Advisory Committee (TAC). The TAC consists of the Planning Director, County Engineer, County Surveyor, Assessor, Road Commissioner, Sanitarian, and Fire Warden. The TAC reviews the technical aspects of the proposed project

Parcel Map Process

PLA/Forms/Bones/Planning1/01/20

1 of 3



and makes recommendations to the Planning Commission regarding specific conditions to be attached should the project be approved.

The project, with the recommendations of the TAC, is then presented to the Planning Commission at their next scheduled meeting. The Planning Commission is responsible for approving, conditionally approving, or denying Parcel Map applications.

If the Planning Commission makes the necessary findings to approve a Parcel Map application, the applicant would have an approved tentative map. Approved tentative maps are "active" for a period of two (2) years, during which time the applicant must meet all conditions of approval. Only after all conditions have been satisfactorily met can the final Parcel Map be recorded. Please note: The final Parcel Map must be prepared by a licensed engineer/surveyor. The two year expiration date may be extended by the Planning Commission upon written request by the applicant. Any such written request must include the reasons to justify the extension, and must be submitted prior to the expiration date of the tentative map. Extensions may be denied, or additional conditions can be imposed. Up to three extensions, a maximum of 1 year each, may be granted for a tentative map. A fee of \$238 is required for consideration of an extension request.

It is important that prospective applicants recognize that the fees identified above are for the processing of the application and are non-refundable even if an application is ultimately denied. Prospective applicants are strongly urged to consult with the Department of Planning and Building Services staff prior to submitting any application materials.

If your project is approved by the County, a Notice of Determination (NOD) will be filed with the County Clerk by the Planning and Building Services Department. The NOD starts a 30-day statute of limitations on any legal challenge to the project's environmental document. Prior to filing the NOD, Section 711.4 of the California Fish and Game Code requires that the County collect an environmental filing fee on behalf of the Department of Fish and Wildlife. The fee varies according to the environmental document prepared for your project as indicated in the table below.

DEPARTMENT OF FISH AND WILDLIFE  
ENVIRONMENTAL FILING FEES  
(Fish and Game Code 711.4)

<u>CEQA DOCUMENT</u>	<u>FEE (effective January 1, 2020)</u>
Negative Declaration	\$2,406.75
Mitigated Negative Declaration	\$2,406.75
Environmental Impact Report	\$3,343.25
County Clerk Processing Fee	\$ 50.00

If you believe your project will have *no effect* on fish and wildlife, you may contact the California Department of Fish and Wildlife to discuss an exemption from the fees. For more information about the fees and possible exemption you should contact the Department of Fish and Wildlife directly at (530) 225-2300 or at the DFW Website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov).

**IMPORTANT NOTE:** Even if your project is approved by the County, the project is not operative, vested, or final, and any local permits issued for the project are invalid if the fees are not paid.

The Planning staff would be happy to help you through the Parcel Map process, and refer you to other public agencies that may be involved in your particular project. Please feel free to contact the Lassen County Planning and Building Services Department if you have any questions regarding the Parcel Map process.

CRITERIA FOR TENTATIVE PARCEL MAPS  
From Subdivision Ordinance 475A, Chapter 16.05

16.05.120 Form and Contents. The tentative map shall be prepared in a manner acceptable to the Lassen County Planning and Building Services Department and shall be prepared by a registered civil engineer, licensed land surveyor, or qualified person. The Subdivider shall file with the Lassen County Planning and Building Services Department the number of tentative maps the Lassen County Planning and Building Services Department may deem necessary, but not less than five (5).

The tentative map shall be clearly and legibly drawn on one or more sheets, each one no more than 11" X 17" unless such standards are waived by the Planning Director, and shall include but not be limited to the following information:

- A. Boundary line and dimensions of parcel being divided.
- B. Proposed division lines with dimensions of each parcel being created using dashed lines.
- C. All existing structures together with their dimensions, distance between structures, and approximate distance from boundary lines.
- D. The approximate area of the original parcel and the minimum area of each proposed new parcel.
- E. Names, locations, and widths of all existing streets, or right-of-way known to the owner, located on or near the property, by reference to the book and page of recordation thereof in the office of the County Recorder.
- F. Approximate location and dimensions of all existing easements, wells, leachlines, seepage pits or other underground structures.
- G. Approximate location and dimensions of all easements for utilities, and drainage.
- H. Approximate location of all creeks and drainage channels and general indication of slope of the land.
- I. North point and approximate scale of drawing.
- J. Vicinity map or other data sufficient to locate the site.



## TENTATIVE PARCEL MAP/SUBDIVISION APPLICATION

FILING FEE: \$1,600 PARCEL MAP; \$1,750 AND \$56 PER LOT SUBDIVISION and  
ENVIRONMENTAL HEALTH FEE: \$85 per parcel  
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

Form must be typed or printed clearly in black or blue ink.

All sections must be completed in full. Only attach additional sheets if necessary.

FILE NO. \_\_\_\_\_

Property Owner/s	Property Owner/s
Name:	Name:
Mailing Address:	Mailing Address:
City, ST, Zip:	City, ST, Zip:
Telephone: Fax:	Telephone: Fax:
Email:	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input 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:	General Plan Designation:		
Parcel Size (acreage):	Section:	Township:	Range:

Assessor's Parcel Number(s):	- -	- -	- -
------------------------------	-----	-----	-----

<input type="checkbox"/> Subdivision (5 or more parcels created)
Number of Parcels: _____ Parcel Size Range: _____ (acres or square feet). Use: _____
<input type="checkbox"/> Parcel Map (4 or fewer parcels created).
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____

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: _____	Date: _____
Date: _____	Date: _____

See associated process form for required attachments.



1. Multiple (secondary) access provided for emergency fire equipment and shown on the Tentative Map:  
\_\_\_\_ Yes \_\_\_\_ No. Explain reason for lack of multiple access (e.g. parcels over forty acres, parcels front a publicly maintained road, etc.; see Lassen County Code Section 9.16.102): \_\_\_\_\_
2. Proposed Water Source: \_\_\_\_ Public System \_\_\_\_ Private System  
Explain \_\_\_\_\_
3. Method of Sewage Disposal: \_\_\_\_ Public System \_\_\_\_ Private System  
Explain \_\_\_\_\_
4. List All Recorded Access and Utility Easements: \_\_\_\_\_
5. Does the Owner Own Other Land Near the Project Site? \_\_\_\_ No \_\_\_\_ Yes APN(s) \_\_\_\_\_

## Lassen County Code

[Up](#)   [Previous](#)   [Next](#)   [Main](#)   [Search](#)   [Print](#)   [No Frames](#)[Title 18 ZONING](#)[Chapter 18.108 SPECIAL PROVISIONS](#)**18.108.250 Segregation of homesites in agricultural zones.**

---

(a) In the A-3, E-A, U-C, and U-C-2 districts, the subdivision of property in order to separate legally one homesite from the remaining agricultural land may be allowed pursuant to this section. The application for subdivision shall include a proposed plan of development and use for the entire area of existing parcels under the same or related ownership, containing the site of one or more existing or proposed dwellings. The planning commission may approve such applications only after finding, in addition to other findings, that:

(1) The proposed parcel is not greater than forty acres, or an aliquot portion of a section of land consisting of one-quarter of one-quarter section, or five percent (whichever is greater) of the agriculturally-zoned land held in contiguous ownership by the project applicant at the time of the application, and not less than one acre;

(2) The remaining parcel of contiguous ownership of the project applicant will not be less than the required minimum parcel size of the agricultural district(s) in which the lands are located;

(3) The proposed segregation and development will not reduce the capabilities for agricultural use of the nonhomesite parcel and surrounding properties;

(4) The proposed segregation and development is justified or made necessary by the occupancy of homesites, ownership of property, organizational structure of the farm business, financing requirements, retirement planning or similar circumstances;

(5) The proposed parcels meet the requirements of the county health department for sewage disposal and water supply.

(b) Prior to the division being effective, the owner or owners of the property included in the approved subdivision shall execute and cause to be recorded in the office of the recorder of Lassen County a restriction binding upon the original owners and their heirs, successors and assigns, which disallows additional homesites to be segregated, pursuant to this section, from the property until at least ten years has elapsed from the date of recordation of the subdivision instrument. (Ord. 467-AC § 28, 2003; Ord. 467-C, 1986; Ord. 467 § 66, 1984).

---

View the [mobile version](#).

Philip E. Nemir  
Forestry & Appraisal Services  
P.O. Box 1717  
Susanville, CA 96130  
530-257-2294  
[philnemir@hotmail.com](mailto:philnemir@hotmail.com)

April 20, 2020

Department of Planning & Building Services  
County of Lassen  
707 Nevada St, Suite 5  
Susanville, CA 96130  
Attn: Maurice Anderson

SUBJECT: Deas Trusts Property – Modification of Rezone Application

Dear Mr. Anderson:

Thank you for your letter of April 15, 2020. I have consulted with Jane Rosenberg, Trustee of the Deas Trusts, and the family would like to modify the original application to retain 80 acres as UC2 zone and rezone the remaining 560 acres to TPZ. The legal description of each is (map attached):

**UC2 (80 acres)**

Township 31N, R7E, MDM  
Section 13: SW1/4SW1/4SE1/4  
Section 24: W1/2SE1/4NW1/4, NW1/4NW1/4NE1/4, NE1/4NW1/4

**TPZ (560 acres)**

Township 31N, R7E, MDM  
Section 13: NW1/4SW1/4SE1/4, E1/24SW1/4SE1/4  
Section 24: NE1/4NE1/4, SW1/4NE1/4, W1/2SE1/4, SW1/4,  
SW1/4NW1/4, E1/2SE1/4NW1/4, SW1/4NW1/4NE1/4,  
E1/2NW1/4NE1/4  
Section 25: NW1/4NE1/4, N1/2NW1/4

Please feel free to contact me if you should need additional information. Thank you.

Sincerely,

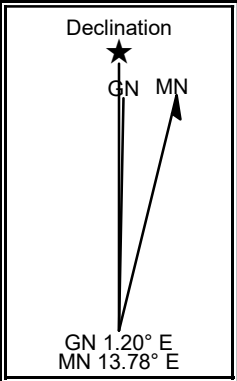
*Philip E. Nemir*

Philip E. Nemir  
Forest Manager  
RPF No. 1666

cc. Jane Rosenberg  
Encl.



Deas Trusts  
T31N, R7E, Sec 13,24&25 MD  
Lassen County, CA



SCALE 1:15840

A horizontal scale bar with tick marks at 0, 1000, 2000, and 3000 feet. The word "Feet" is centered below the bar.

**LEGEND**

———— Property boundary

----- Seasonal road





# REZONE APPLICATION

FILING FEE: \$754

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

PLANNING AND BUILDING SERVICES  
LASSEN COUNTY DEPARTMENT OF

NOV 20 2019

RECEIVED

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. RZ#2019-002

Property Owner/s	Property Owner/s
Name: Emily Jane Rosenkey, Trustee	Name: (see attached sheet for complete name)
Mailing Address: 777 Fitch St.	Mailing Address:
City, ST, Zip: Healdsburg, CA 95448	City, ST, Zip:
Telephone: 707-431-0581 Fax:	Telephone: Fax:
Email: jane@enm.com	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input checked="" type="checkbox"/>
Name:	Name: Phil Nemir, RPF No. 1666
Mailing Address:	Mailing Address: PO Box 1717
City, ST, Zip:	City, ST, Zip: Susanville, CA 96130
Telephone: Fax:	Telephone: 530-257-2294 Fax:
Email:	Email: phil.nemir@hotmail.com License #: 1666 RPF

Project Address or Specific Location: + 31N, RTE, Sec 13, 24+25 MPM portions			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: U-C-2	General Plan Designation:		
Parcel Size (acreage): 640	Section: 13, 24, 25 Township: 31N Range: 7E		

Assessor's Parcel Number(s):	85-080-06	85-120-03	-	-
-	-	-	-	-

Present Zoning: U-C-2 Upland Conservation	Proposed Zoning: Timber Production Zone
General Plan Amendment Required: <input type="checkbox"/> Yes <input type="checkbox"/> No General Plan Amendment Submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No *Staff Initial:	
Project Description: Rezone	

<b>SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT:</b> 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.	<b>*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE</b> (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided).
Emily J. Rosenkey, Trustee Date: 11/14/19	Date:
Date:	Date:

See associated process form for required attachments and instructions.

Philip E. Nemir  
Forestry & Appraisal Services  
P.O. Box 1717  
Susanville, CA 96130  
530-257-2294  
[philnemir@hotmail.com](mailto:philnemir@hotmail.com)

November 18, 2019

Department of Planning & Building Services  
County of Lassen  
707 Nevada St, Suite 5  
Susanville, CA 96130

SUBJECT: Deas Trusts Property - Proposed Rezone to Timber Production Zone

Dear Planners:

Please find enclosed a "Rezone Application" for 640 acres owned by the Deas Trusts at Upper Stephens Meadow.

The complete **Ownership Title** is held by:

Emily Jane Rosenberg, Trustee of the Lillian Jane Deas Trust under the Garrett H. Rosenberg & Helen B. Rosenberg Trust Agreement Dated August 19, 1982, as to an undivided one-half (1/2) interest & Emily Jane Rosenberg, Trustee of the William Edgar Deas Trust under the Garrett H. Rosenberg & Helen B. Rosenberg Trust Agreement Dated August 19, 1982, as to an undivided one-half (1/2) interest

The property meets the requirements of Chapter 18.070.040(2) T-P-Z Timber Production District:

(A) **Map** – Two assessor parcels maps are enclosed. Legal Description is:

Township 31N, R7E, MDM  
Section 13: SW1/4SE1/4  
Section 24: N1/2NE1/4, SW1/4NE1/4, W1/2SE1/4, SW1/4,  
S1/2NW1/4, NE1/4NW1/4  
Section 25: NW1/4NE1/4, N1/2NW1/4

(B) **Forest Management Plan** – A "Forest Management Plan" for the Lillian Jane Deas and William Edgar Deas Trusts dated June 2015. The plan was prepared by Registered Professional Forester, Philip E. Nemir (No. 1666). This Plan is enclosed.



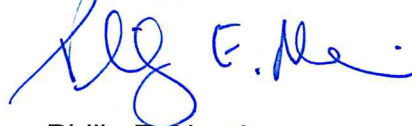
The Timberland Owners also have a CDF-approved "Nonindustrial Timber Management Plan" (2-09-NTMP-001-LAS). The "Confidential Addendum" provides a detailed plan for long-term timber harvesting for the property.

- (C) **Stocking Standards** – The parcel more than meets the minimum stocking standards by the Forest Practice Act Rules. This can be verified in the "Confidential Addendum" by reviewing the "Stand Tables."
- (D) **Ownership Area** – Total contiguous area is 640 acres.
- (E) **Timber Site Class** – The average site Class using the Dunning classification system is III.

I believe that this meets all of the requirements for the property to be re-zoned TPZ. Please feel free to contact me if you should need additional information.

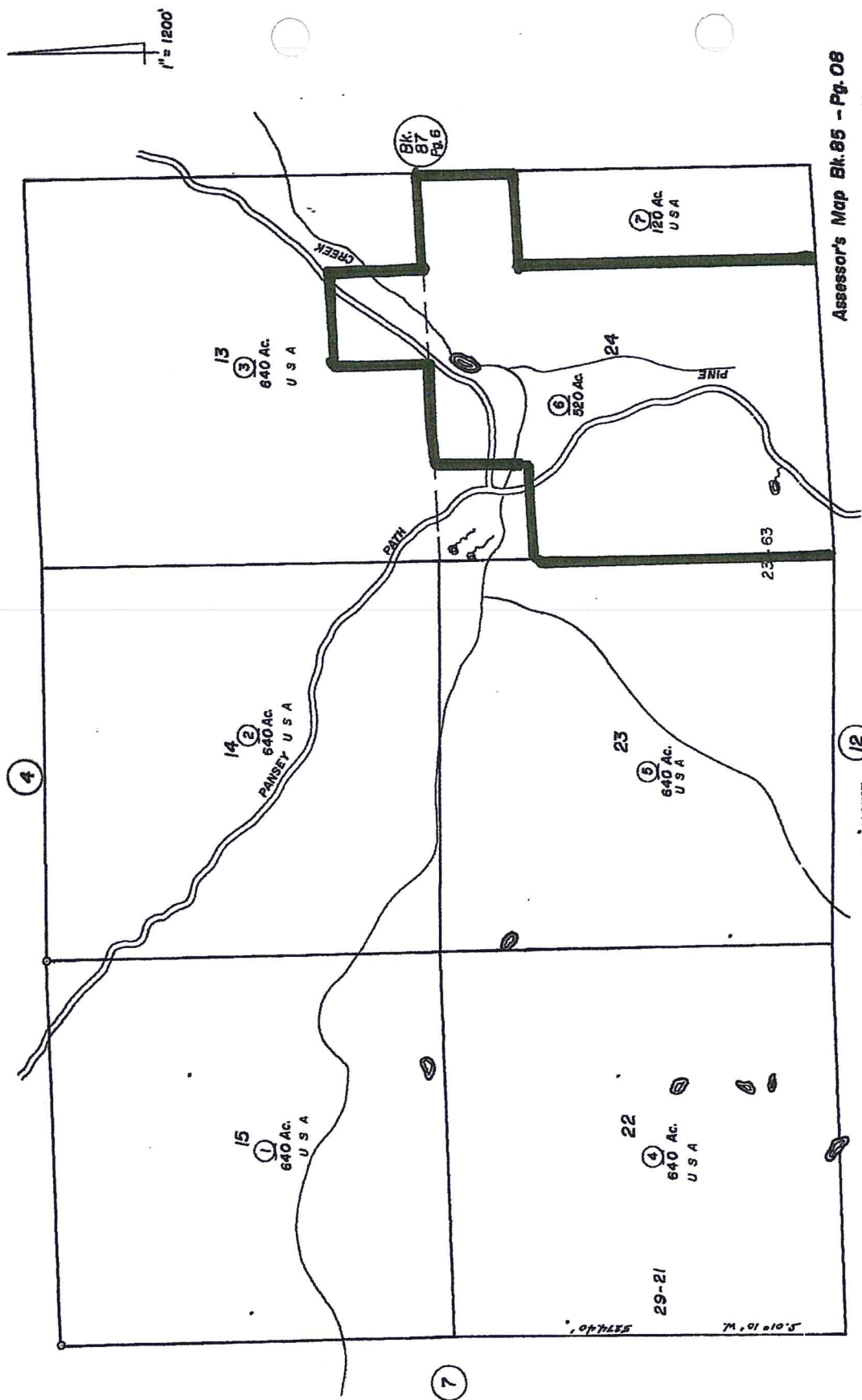
Thank you.

Sincerely,



Philip E. Nemir  
Forest Manager  
RPF No. 1666

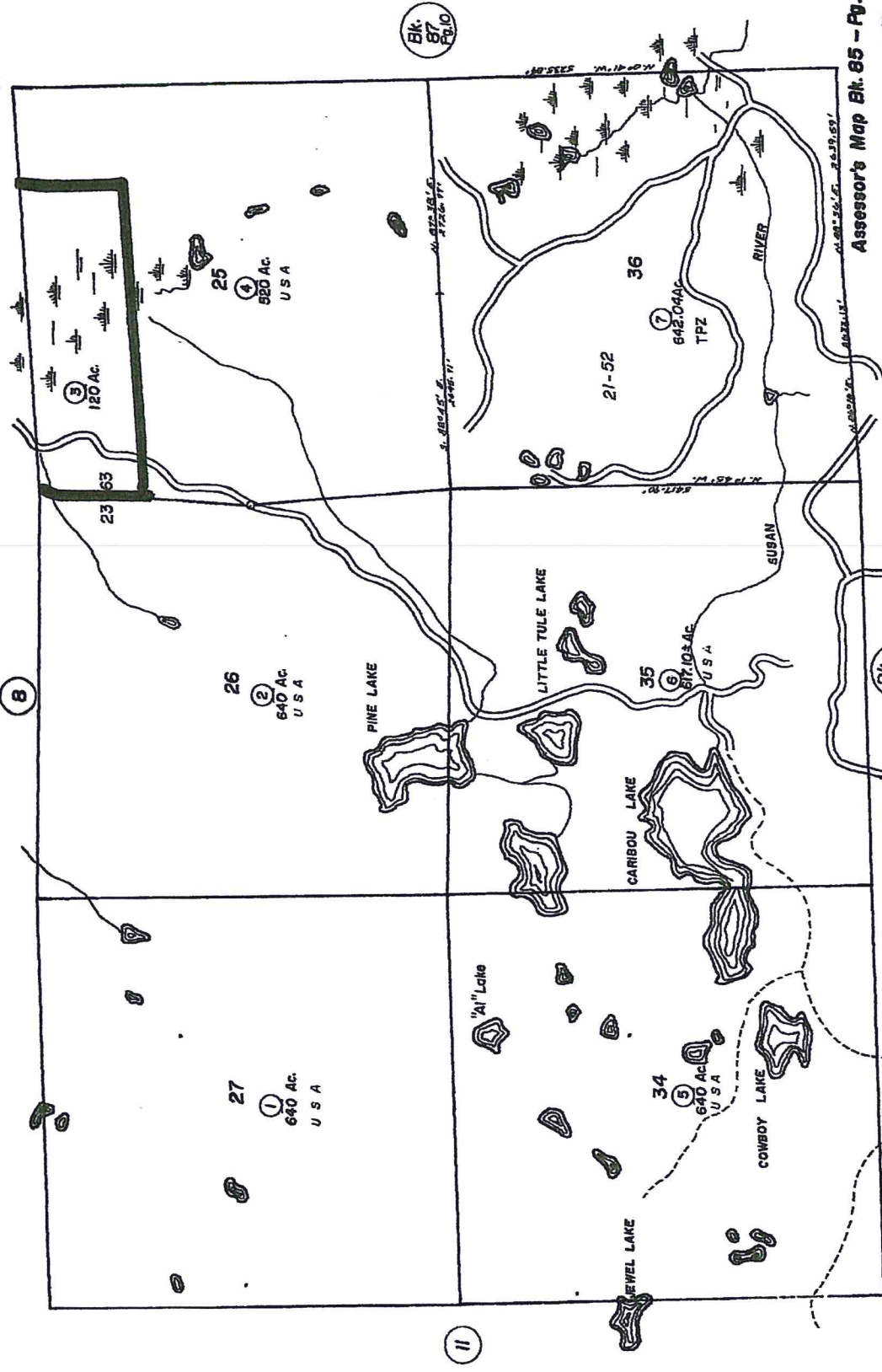
Encl.



**Assessor's Map Bk. 85 - Pg. 08**  
**County of Lassen, Calif.**

RS MAP BK. 23 PG. 83 LASSEN NATIONAL FOREST  
RS MAP BK. 29 PG. 2422 " " " "

**NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.**



Assessor's Map Bk. 85 - Pg. 12

County of Lassen, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

RS MAP BK 21 PG. 52 ANDRUS TWO PROPERTIES  
R.S. MAP BK. 23 PG. 63 LASSEN NATIONAL FOREST

Bk. 87  
Pg. 10

Bk. 97  
Pg. 8